Hampton, Dominique (PSP)

From: Margaret Fleek <mfleek@burlingtonwa.gov>
Sent: Wednesday, June 18, 2014 10:53 AM
To: Hampton, Dominique (PSP)
Subject: Funding Alignment with Salmon Recovery
Attachments: Gages Slough Planting Plans.pdf

Hello PSP and Dominique Hampton,

As a long term small community planner working for three jurisdictions in Skagit County including Burlington, Lyman and Hamilton, the volunteer programs for restoration and buffer enhancement projects are critical to our future.

However, generating a bunch of words that mean very little to the "volunteers" is NOT helpful!!!! We apply for grants, we direct what funding we have, we work with non-profits, and WE cannot afford to hire an expensive consultant to interpret your words, beg for permission from who knows who, and figure out how to apply them to a very simple project.

If you are going to move forward with jargon, please consider following that up by providing us with helpful ideas, options, planting plans for various locations, ways to get things done simply. The last thing we need is MORE requirements that do not advance anyone's interests, other than the "qualified" consultant of your choice.

"Common sense" has been identified as a phrase that may soon be eliminated. As an example of a helpful idea, attached is a bulletin we have used for years in the Gages Slough area.

My apologies for whining, but it sure looks like you are setting up YET ANOTHER PERMIT process requirement for what does NOT now require a permit, with extremely vague statements. Feel free to toss these comments if I have misinterpreted your resolution.

Thanks for the opportunity.

Margaret Fleek
Planning Director
360-755-9717

GAGES SLOUGH PLANTING GUIDELINES FOR WETLAND BUFFER AREAS

GENERAL GUIDELINES

The Pacific Northwest has a mild maritime climate, with wet winters and relatively warm dry summers. Installing plants in your landscape is best done when the climate is least stressful for the plant, and when the plant is best able to cope with transplanting shock. In this locale, planting when plants are dormant (roughly October-March) is generally the most successful strategy for a number of reasons:

- cooler moister weather reduces drying out (dessication) of plant and associated stress
- deciduous plants are leafless, which reduces dessication and immediate moisture needs
- plants have the opportunity to develop root systems during dormancy and as they come out of dormancy that can supply them with the necessary moisture and soil nutrients before they come into leaf and flower
- the need for supplemental watering is reduced so plants are not as dependent on care from you to survive the first and most difficult year after planting
- other plants that might compete with the new plantings are also dormant which gives new plantings a chance to become adapted to the site before new growth occurs in surrounding plants

As you choose the species for your landscape, pay attention to the growing conditions on your site, and at different locations within the site. How much moisture does the soil have? How much sun does the site receive? Is it relatively cool morning sun, or hotter and more intense afternoon sun. Are there existing plants that create cool shade on your site that would be favorable for shade tolerant species? Consult the plant list information sheets for more information about the growing requirements of each species, as well as their wildlife features. Consider the ultimate size and shape of the plant, and make sure you are locating it in a place where it will have room to grow as tall and wide as it needs to. This will greatly reduce maintenance requirements such as on-going pruning, and will result in healthier, better looking plants too.

TREE PLANTING

Trees should be planted as shown in the diagram below with the plant pit at least twice as deep and wide as the rootball of the plant. Topdressing with 3-4" of organic mulch helps keep in soil moisture, keeps the soil cooler, and reduces competition from weeds. If you are trying to achieve a naturalistic look, consider how the species grows in nature when you are determining the spacing and distribution of your trees. Alder and quaking aspen, for example, are usually in groves with individual trees close to each other (2-4' apart). Red cedars and hemlocks tend to have more distance between them (6-12' apart).

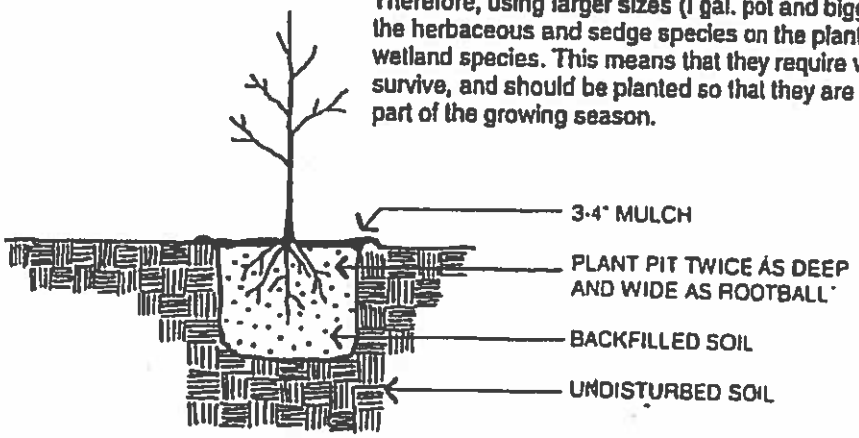
SHRUB PLANTING

Shrubs should also be planted as shown in the diagram below with the plant pit at least twice as deep and wide as the rootball of the plant. Topdressing with 3-4" of organic mulch helps keep in soil moisture, keeps the soil cooler, and reduces competition from weeds. If you are trying to achieve a naturalistic look, consider how the species grows in nature when you are determining the spacing and distribution of the shrubs you choose. Wild rose and snowberry grow in dense mixed thickets, whereas species such as black twinberry and red elderberry are usually found as more isolated individuals in a landscape.

HERBACEOUS AND SEDGE PLANTING

Wetland herbaceous and sedge species are often planted as "plugs", which are very small starts that are generally used when planting large areas. Waterfowl predation can be a big problem with these small seedlings. Therefore, using larger sizes (1 gal. pot and bigger) is recommended. All of the herbaceous and sedge species on the plant list are so-called "obligate" wetland species. This means that they require wet growing conditions to survive, and should be planted so that they are in saturated soils for a good part of the growing season.

PLANTING DETAIL



WEED MANAGEMENT INFORMATION SHEET

HIMALAYAN BLACKBERRY - *Rubus procerus*

Himalayan blackberry is an introduced species that has widely naturalized and is commonly found in disturbed areas and along streams and wetlands. This is a pioneering species, meaning it is one of the first to colonize and establish in a disturbed site. Himalayan blackberry is intolerant of deep shade. It forms thorny, tangled thickets which provide cover for wildlife, and bears fruits and flowers used by numerous wildlife species, birds, and insects. Despite these positive wildlife attributes, the aggressive nature of this plant and its tendency to form dense monocultures that eliminate other species make it an undesirable plant in a landscape context where plant communities made up of numerous species forming a more complex and diverse habitat are preferred.

Any proposed stream corridor restoration efforts along Gages Slough that contain Himalayan blackberry should include consideration of the weed management that will be necessary to make the project a success. Manual control of this plant usually takes the form of:

1) repeated cutting of stems at the ground to reduce plant vigor;

and/or

2) removal of the entire plant including all of the roots (springtime is best).

Depending on the extent of coverage, either one of these methods may be more appropriate. If, for example, you are dealing with a dense thicket, repeated mowing may be a more feasible approach than handpulling or grubbing out the entire plant. Regardless of the approach, follow-up maintenance will be necessary – one erradication effort will not be enough. Foliar spraying of plants with herbicides is not very effective and is not recommended.

Areas that are to be planted with native species should be prepared by removing all invasive plants, including Himalayan blackberry prior to planting. Blackberry roots should be grubbed out and all plant parts should be disposed of off-site as resprouting from roots, shoots, and stems can occur. Management of new blackberry growth should continue for 1-5 years as needed so that plantings can become established. Plantings should be closely spaced to encourage accelerated formation of a canopy that can help control blackberry by casting shade.

WEED MANAGEMENT INFORMATION SHEET

REED CANARYGRASS - *Phalaris arundinacea*

Reed canarygrass is a long-lived cool season perennial grass. It is an aggressive species, growing in dense stands along streams and wetlands or other moist, disturbed areas. It can grow up to 6' tall, and its roots form thick mats underground. Reed canarygrass is shade-intolerant, and also cannot typically withstand prolonged periods (e.g. an entire growing season) of inundation by water.

Ecologically speaking, reed canarygrass is not a particularly desirable species because it limits biological and habitat diversity by outcompeting native plant species and forming monocultures that spread underground from the rhizomes or underground stems. Besides its fast growth rate, growth habit and height, as well as effective means of spreading, reed canarygrass also has a competitive advantage over many other grasses because it starts its growth very early in the late winter/early spring. This early growth gives it a big head start, which results in stems that can be as tall as 2 ft. by the time other species are just emerging. It is the extensive root system that provides the nutrients for the impressive growth aboveground.

Almost any restoration or establishment of a woody riparian corridor along Gages Slough will require some management of reed canarygrass to allow maximum growth and survival of plantings. A common strategy usually involves a combination of:

1) reducing the vigor of existing plants so that new plantings can establish and successfully compete;

and

2) actually removing or killing reed canarygrass in particularly problematic areas.

Reducing the vigor of existing plants is done by depleting the nutrient reserves in the root mass by repeated cutting or suppression of the aboveground portions of the plant so that they cannot produce energy. Following is a protocol that should help your new plants become established:

1. Early in the growing season prior to fall planting, as soon as you notice new reed canarygrass growth in the spring, mow the grass short and try to keep it short (<6") throughout the spring and summer.

2. After planting trees and shrubs in the fall, cover the top of the plant pit with 2-4" of organic mulch or a sheet mulch to reduce regrowth of weeds. In some cases where grass is particularly dense, it is advisable to clear a 2-3' diameter circle immediately surrounding each new planting by removing the grass including the below-ground root mass prior to planting, and subsequently mulching with an organic material or synthetic sheet mulch after plant installation to eliminate light to the plant.

3. Keep grass low in a 2-3' diameter circle around each new planting throughout growing season in first and subsequent years as needed. Re-applying mulch may also be necessary. Mowing or use of weed whips should be avoided around new plants, as they are easily damaged. Use hand tools such as a hand scythe, hand shears or clippers rather than motorized mowers.

Once new plantings have become established and are creating some kind of a shade canopy over the ground, reed canarygrass usually becomes less problematic and aggressive. Keys to success are:

1) regular vigilance and management early on in the project (years 1-3);

and

2) installation of appropriate plants, including conifers, at fairly high densities so that they will thrive and rapidly form a canopy that will shade out the grass and provide long-term control.

PLANT LIST FOR DRY SHADY WETLAND BUFFER AREAS

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
TREES			
big-leaf maple	*Acer macrophyllum*	SPACING: 10-15'; very large, attractive tree; dry to moist sites, half to full sun	good for shade and nesting birds; fruits are food source for birds and small mammals
Douglas fir	*Pseudotsuga menziesii*	SPACING: 10-15'; OK in full sun; grows best in dry soils	predatory bird roosts; nesting bird habitat, good for cavity nesting birds and small mammals
grand fir	*Abies grandis*	SPACING: 10-15'; attractive, ordered appearance to branches; dry soils, OK in full sun	nesting birds and small mammals
red alder	*Alnus rubra*	SPACING: 4-6'; full sun, grows well in most soil conditions, esp. in moist soils, fast-growing, fixes nitrogen in soils; grows well in disturbed sites and wetland margins	good habitat for cavity-nesting birds and mammals
western hemlock	*Tsuga heterophylla*	SPACING: 10-15'; grows best in shade and moist to well-drained soils	winter forage for deer and small mammals
SHRUBS			
baldhip rose	*Rosa gymnocarpa*	SPACING: 2-4'; low to medium height, spindly growth, attractive flowers, dry to moist soils, tolerates sun or shade	hips eaten by birds
beaked hazelnut	*Corylus cornuta*	SPACING: 4-6'; tall, attractive open shrub; well-drained soils; attracts birds to area	nuts valuable for birds and small mammals; twigs and leaves browsed by deer; good nesting for perching birds
Indian plum (osoberry)	*Oemleria cerasiformis*	SPACING: 3-5'; tall, open, attractive shrub; dry to moist soils; best in nutrient-rich soils; somewhat shade tolerant	fruits eaten by birds; nesting habitat for perching birds
Nootka rose	*Rosa nutkana*	SPACING: 2-4'; low to medium-height, dense shrub with attractive flowers; dry to moist soils; tolerates sun or shade	hips eaten by birds
red elderberry	*Sambucus racemosa*	SPACING: 4-6'; tall shrub with attractive racemes of small red berries; dry to moist soils; full sun to part shade	fruits important to many bird and mammal species; foliage and twigs eaten by deer
red flowering currant	*Ribes sanguineum*	SPACING: 3-5'; low to medium height, early blooming with handsome red-pink flowers; dry to moist soils in sun or part shade	flowers attract hummingbirds in spring
salal	*Gaultheria shallon*	SPACING: 2'; low-growing, attractive evergreen shrub; moist to dry soils; can form dense thickets	fruits important for some birds; leaves, buds, twigs browsed by deer
snowberry	*Symphoricarpos albus*	SPACING: 2-4'; low shrub with attractive white fruits that persist well into winter; best in well-drained soils in openings in forest canopy	fruits important food source for variety of birds, esp. in winter; twigs and foliage are good browse for deer
western serviceberry	*Amelanchier alnifolia*	SPACING: 4-6'; tall, open shrub; moist to well-drained soils; grows well in rocky soils and disturbed sites	fruits valuable food source for many bird species; twigs and leaves good browse

PLANTS FOR DRY SHADY WETLAND BUFFER AREAS

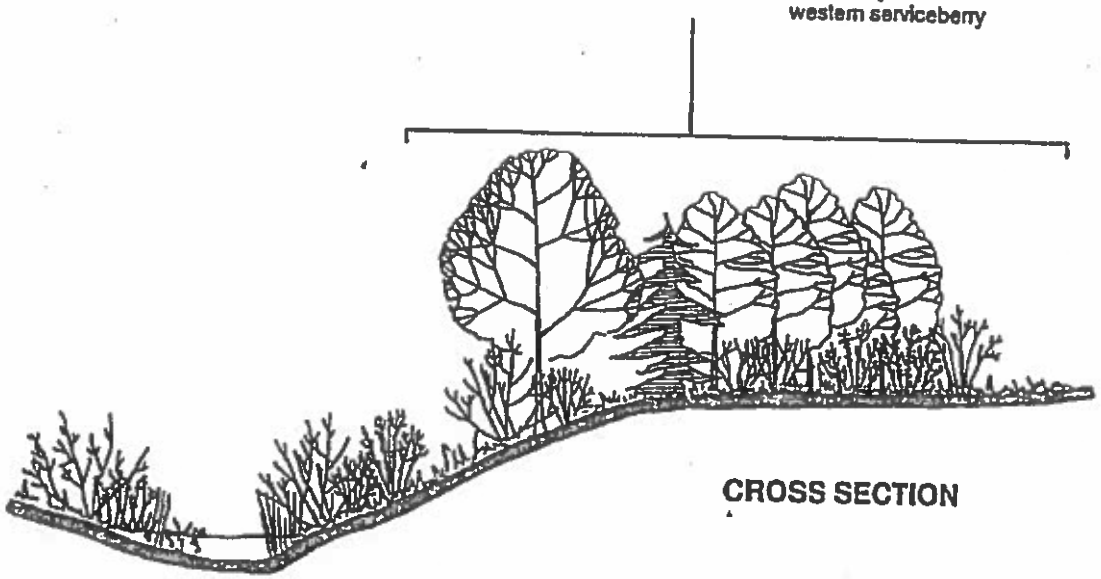
Choose from the following species:

TREES

- bigleaf maple
- Douglas fir
- grand fir
- red alder
- western hemlock

SHRUBS

- baldhip rose
- beaked hazelnut
- Indian plum (osoberry)
- Nootka rose
- red elderberry
- red flowering currant
- salal
- snowberry
- western serviceberry



CROSS SECTION

Con.= coniferous tree
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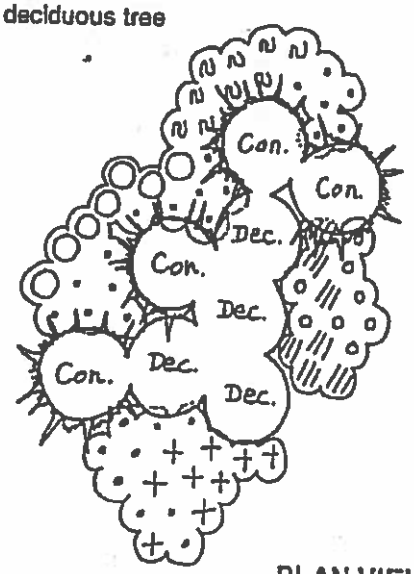


This plan view shows a typical assemblage of plants that you might install in your backyard adjacent to the slough. The most naturalistic planting scheme is one where plants of the same species are planted in clumps or groups with the plants in each group close together (2-4' apart for shrubs, 3-10' apart for trees depending on the species) and irregularly spaced. The symbols used do not represent any particular species, but intend to illustrate this clustering strategy, which mimics the drifts and groupings of plant species as they occur in nature. Consult the accompanying plant list and the cross section shown above to put plants in the right place with regard to soil moisture. Species that prefer moister soil regimes should be planted downslope towards the slough where moisture is greater. Likewise, plants that need drier growing conditions should be planted higher on the bank.

PLAN VIEW (SCALE: 1"= 20')

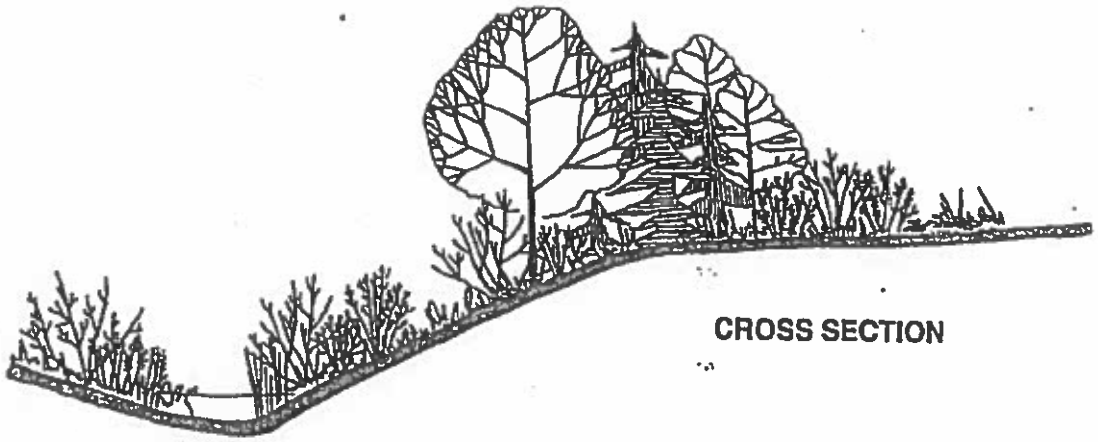
PLANT LIST FOR DRY SUNNY WETLAND BUFFER AREAS

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
TREES			
big-leaf maple	*Acer macrophyllum*	SPACING: 10-15'; very large, attractive tree; dry to moist sites, half to full sun	good for shade and nesting birds; fruits are food source for birds and small mammals
bitter cherry	*Prunus emarginata*	SPACING: 4-6'; medium-height tree with attractive flowers and fruits; moist soils, full sun (shade intolerant), shallow wetland margins	fruits good food source for birds; dead trunks decay resistant and good habitat for insects, amphibians and small mammals
Douglas fir	*Pseudotsuga menziesii*	SPACING: 10-15'; OK in full sun; grows best in dry soils	predatory bird roosts; nesting bird habitat, good for cavity nesting birds and small mammals
grand fir	*Abies grandis*	SPACING: 10-15'; attractive, ordered appearance to branches; dry soils, OK in full sun	nesting birds and small mammals
lodgepole pine (shore pine)	*Pinus contorta*	SPACING: 8-10'; tall, attractive pine; moist to well-drained soils, full sun	winter forage for small mammals
red alder	*Alnus rubra*	SPACING: 4-6'; full sun, grows well in most soil conditions, esp. in moist soils, fast-growing, fixes nitrogen in soils; grows well in disturbed sites and wetland margins	good habitat for cavity-nesting birds and mammals
western white pine	*Pinus monticola*	SPACING: 8-12'; familiar pine, commonly used in landscaping; dry, well-drained soils, does well in gravelly soils and full sun	seeds provide food source for small mammals
SHRUBS			
baldhip rose	*Rosa gymnocarpa*	SPACING: 2-4'; low to medium height, spindly growth, attractive flowers, dry to moist soils, tolerates sun or shade	hips eaten by birds
beaked hazelnut	*Corylus cornuta*	SPACING: 4-6'; tall, attractive open shrub; well-drained soils; attracts birds to area	nuts valuable for birds and small mammals; twigs and leaves browsed by deer; good nesting for perching birds
Indian plum (osoberry)	*Oemleria cerasiformis*	SPACING: 3-5'; tall, open, attractive shrub; dry to moist soils; best in nutrient-rich soils; somewhat shade tolerant	fruits eaten by birds; nesting habitat for perching birds
red elderberry	*Sambucus racemosa*	SPACING: 4-6'; tall shrub with attractive racemes of small red berries; dry to moist soils; full sun to part shade	fruits important to many bird and mammal species; foliage and twigs eaten by deer
red flowering currant	*Ribes sanguineum*	SPACING: 3-5'; low to medium height, early blooming with handsome red-pink flowers; dry to moist soils in sun or part shade	flowers attract hummingbirds in spring
snowberry	*Symphoricarpos albus*	SPACING: 2-4'; low shrub with attractive white fruits that persist well into winter; best in well-drained soils in openings in forest canopy	fruits important food source for variety of birds, esp. in winter; twigs and foliage are good browse for deer
western serviceberry	*Amelanchier alnifolia*	SPACING: 4-6'; tall, open shrub; moist to well-drained soils; grows well in rocky soils and disturbed sites	fruits valuable food source for many bird species; twigs and leaves good browse

PLANTS FOR DRY SUNNY WETLAND BUFFER AREAS

Choose from the following plants:

TREES	bigleaf maple	SHRUBS	baldhip rose
	bitter cherry		beaked hazelnut
	Douglas fir		Indian plum (osoberry)
	grand fir		red elderberry
	lodgepole pine (shore pine)		red flowering currant
	red alder		snowberry
	western white pine		western serviceberry



CROSS SECTION

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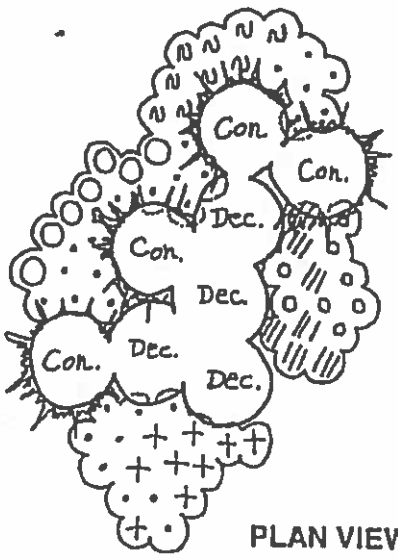

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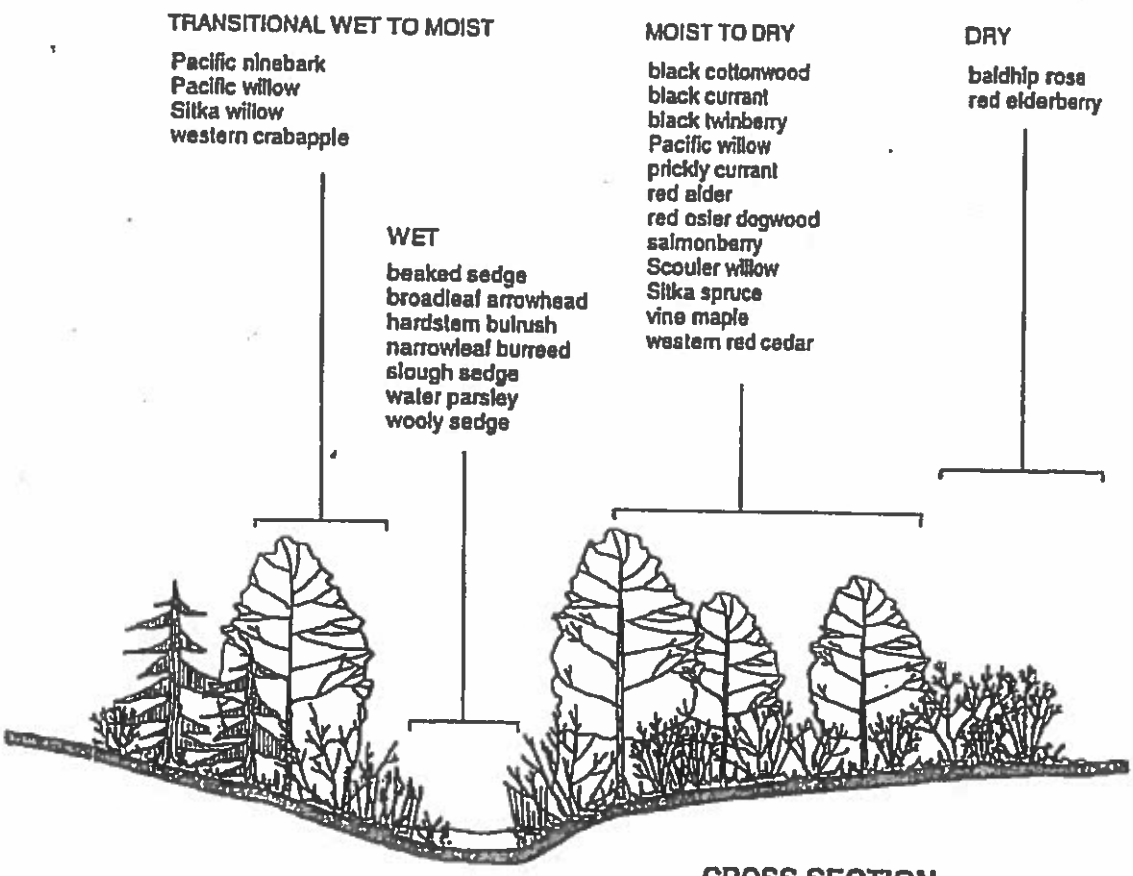
PLANT LIST FOR WET SHADY WETLAND MARGINS

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
TREES			
black cottonwood	*Populus balsamifera*	SPACING: 6-10'; moist to well-drained soils, full sun, fast-growing, wetland margins	good for nesting birds
Pacific willow	*Salix lucida*	SPACING: 4-6'; moist to saturated soils; grows well from live stakes - commonly available already in Gages Slough	good shade tree
red alder	*Alnus rubra*	SPACING: 4-6'; full sun, grows well in most soil conditions, esp. in moist soils, fast-growing, fixes nitrogen in soils; grows well in disturbed sites and wetland margins	good habitat for cavity-nesting birds and mammals
Scouler willow	*Salix scouleriana*	SPACING: 4-6'; moist to saturated soils, intolerant of standing water; shade tolerant; fast-growing	good shade tree
Sitka spruce	*Picea sitchensis*	SPACING: 10-15'; appealing bluish color to branches; grows well in moist soils, wetland margins	predatory bird roosts; new shoots good forage for deer
western red cedar	*Thuja plicata*	SPACING: 10-15'; beautiful tree with graceful branches; plant only in full to half shade (sun intolerant); best in moist to saturated soils, wetland margins	snags important habitat for cavity nesting birds; stumps habitat for small mammals
SHRUBS			
baldhip rose	*Rosa gymnocarpa*	SPACING: 2-4'; low to medium height, spindly growth, attractive flowers, dry to moist soils, tolerates sun or shade	hips eaten by birds
black twinberry (twinberry honeysuckle)	*Lonicera involucrata*	SPACING: 3-5'; medium-height, graceful shrub; moist soils	deer browse twigs and leaves; berries eaten by birds; bark used as nesting material by birds and small mammals
black currant (stink currant)	*Ribes bracteosum*	SPACING: 2-4'; low to medium-height, straggly shrub; tolerates periodic saturation; best in partial shade	fruits and foliage eaten by birds and small mammals!
Nootka rose	*Rosa nutkana*	SPACING: 2-4'; low to medium-height, dense shrub with attractive flowers; dry to moist soils; tolerates sun or shade	hips eaten by birds
Pacific ninebark	*Physocarpus capitatus*	SPACING: 3-5'; tall, attractive shrub; moist soils or short-term saturation; wetland margins; grows well in half-shade or sunny openings in canopy	twigs, buds, and foliage eaten by deer and small mammals
prickly currant (swamp gooseberry)	*Ribes lacustre*	SPACING: 2-4'; low to medium-height, straggly shrub; dry to moist soils; best in half-sun	fruits good forage for birds and small mammals
red elderberry	*Sambucus racemosa*	SPACING: 4-6'; tall shrub with attractive racemes of small red berries; dry to moist soils; full sun to part shade	fruits important to many bird and mammal species; foliage and twigs eaten by deer
red-osier dogwood	*Cornus sericea*	SPACING: 2-4'; medium-height; many thin stems; beautiful red bark persists through winter; moist to saturated soils	fruits, twigs and foliage valuable forage; good nesting habitat for perching birds

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
salmonberry	*Rubus spectabilis*	SPACING: 2-4'; medium-height shrub with attractive berries; forms dense thickets; spreads easily by rhizome - somewhat invasive; moist to saturated soils; full sun to part shade	fruits important food source for birds and small mammals; early flowers good nectar source for insects and hummingbirds; leaves, twigs, and stems browsed by deer; thickets good nesting habitat for perching birds
Sitka willow	*Salix sitchensis*	SPACING: 3-6'; tall, multi-stemmed shrub; fast-growing; spreads easily by rhizome; moist to saturated soils; tolerant of periodic standing water and full sun; easy to establish by live stake, which are available from existing stands in Gages Slough	nesting habitat for perching birds
vine maple	*Acer circinatum*	SPACING: 3-6'; tall, open shrub; moist soils, no prolonged saturation; half to full sun; beautiful fall colors; commonly used in landscaping	nesting for small birds; twigs, buds, and seeds eaten by many birds and small mammals
western crabapple	*Malus fusca*	SPACING: 4-8'; shrub or small tree with many intertwined branches; moist to saturated soils; wetland margins	fruits good forage for birds; leaves, twigs, and buds browsed by deer; good dense habitat for nesting birds
HERBACEOUS AND SEDGE SPECIES			
beaked sedge	*Carex utriculata*	SPACING: 1-2'; emergent sedge; shallow standing water to 1 foot	
broadleaf arrowhead (wapato)	*Sagittaria latifolia*	SPACING: 1-2'; rooted aquatic with attractive white flowers; still or slow-moving water; reproduces by tubers and rhizomes	tubers eaten by waterfowl
hardstem bulrush	*Scirpus acutus*	SPACING: 1-2'; tall (to 8 feet) emergent sedge that forms dense stands; shallow standing water up to 3 feet deep	stems used by birds for nesting material and nesting habitat; seeds eaten by waterfowl
narrowleaf burreed	*Sparganium emersum*	SPACING: 1-2'; low-growing emergent with large, attractive fruits; shallow standing water to 3 feet deep	
slough sedge	*Carex obnupta*	SPACING: 1-2'; emergent sedge; spreads to forming extensive stands; saturated to shallow standing water to 1 foot	
water-parsley	*Oenanthe sarmentosa*	SPACING: 1-2'; low-growing, mat-forming rooted semi-aquatic; constant saturation or standing water; partial to full shade; replants easily, spreads well, useful in settling sediment	toxic to wildlife but not problematic
wooly sedge	*Scirpus atrocinctus*	SPACING: 1-2'; tall emergent in dense tufts; attractive flowering heads with wooly appearance; tolerates shallow inundation to 1 foot	good food source for waterfowl; leaves used by waterfowl for nesting material

PLANTS FOR WET SHADY WETLAND MARGINS

Choose from the following species:



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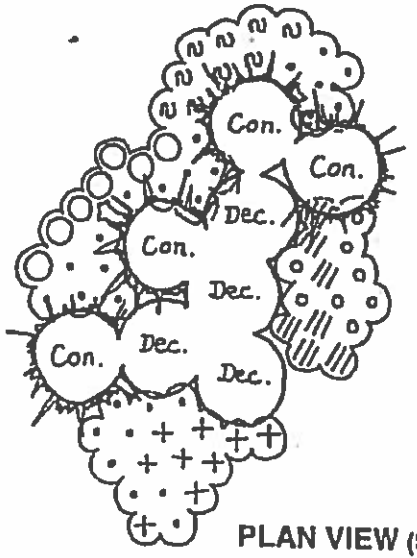

PLAN VIEW (SCALE: 1"= 20')

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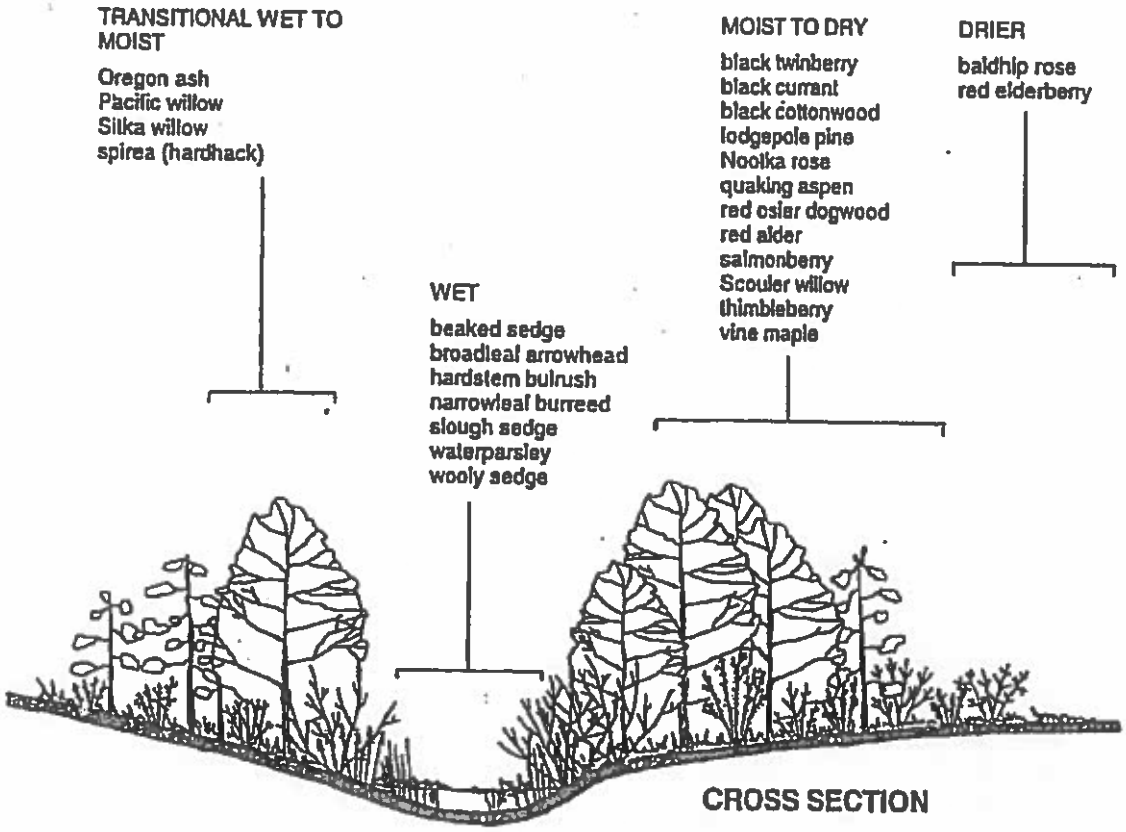
PLANT LIST FOR WET SUNNY WETLAND MARGINS

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
TREES			
black cottonwood	*Populus balsamifera*	SPACING: 5-10'; moist to well-drained soils, full sun, fast-growing, wetland margins	good for nesting birds
lodgepole pine (shore pine)	*Pinus contorta*	SPACING: 8-12'; tall, attractive pine; moist to well-drained soils, full sun	winter forage for small mammals
Oregon ash	*Fraxinus latifolia*	SPACING: 6-10'; moist to saturated soils; wetland margins	good for nesting birds
Pacific willow	*Salix lucida*	SPACING: 4-6'; moist to saturated soils; grows well from live stakes - commonly available already in Gages Slough	good shade tree
quaking aspen	*Populus tremuloides*	SPACING: 3-6'; attractive tree with characteristic quaking of leaves in wind; saturated to dry soils, full sun, fast-growing, spreads easily by rhizome; wetland margins; don't plant near water lines	buds and bark good food source for large and small mammals, some birds
red alder	*Alnus rubra*	SPACING: 4-6'; full sun, grows well in most soil conditions, esp. in moist soils, fast-growing, fixes nitrogen in soils; grows well in disturbed sites and wetland margins	good habitat for cavity-nesting birds and mammals
Scouler willow	*Salix scouleriana*	SPACING: 4-6'; moist to saturated soils, intolerant of standing water; shade tolerant; fast-growing	good shade tree
SHRUBS			
baldhip rose	*Rosa gymnocarpa*	SPACING: 2-4'; low to medium height, spindly growth, attractive flowers, dry to moist soils, tolerates sun or shade	hips eaten by birds
black twinberry (twinberry honeysuckle)	*Lonicera involucrata*	SPACING: 3-5'; medium-height, graceful shrub; moist soils	deer browse twigs and leaves; berries eaten by birds; bark used as nesting material by birds and small mammals
Nootka rose	*Rosa nutkana*	SPACING: 2-4'; low to medium-height, dense shrub with attractive flowers; dry to moist soils; tolerates sun or shade	hips eaten by birds
red elderberry	*Sambucus racemosa*	SPACING: 4-6'; tall shrub with attractive racemes of small red berries; dry to moist soils; full sun to part shade	fruits important to many bird and mammal species; foliage and twigs eaten by deer
red-osier dogwood	*Cornus sericea*	SPACING: 2-4'; medium-height; many thin stems; beautiful red bark persists through winter; moist to saturated soils	fruits, twigs and foliage valuable forage; good nesting habitat for perching birds
salmonberry	*Rubus spectabilis*	SPACING: 2-4'; medium-height shrub with attractive berries; forms dense thickets; spreads easily by rhizome - somewhat invasive; moist to saturated soils; full sun to part shade	fruits important food source for birds and small mammals; early flowers good nectar source for insects and hummingbirds; leaves, twigs, and stems browsed by deer; thickets good nesting habitat for perching birds

Common Name	Scientific Name	Planting Notes	Noted Wildlife Features
Sitka willow	*Salix sitchensis*	SPACING: 3-8'; tall, multi-stemmed shrub; fast-growing; spreads easily by rhizome; moist to saturated soils; tolerant of periodic standing water and full sun; easy to establish by live stake, which are available from existing stands in Gages Slough	nesting habitat for perching birds
spirea (hardhack)	*Spirea douglasii*	SPACING: 2-4'; low to medium height, leggy shrub; thicket-forming; spikes of wooly pink flowers	thickets provide cover for perching birds
thimbleberry	*Rubus parviflorus*	SPACING: 2-4'; low to medium-height, dense shrub with bright red berries; moist to dry soils; full sun	fruits important food source for birds and mammals; deer eat leaves and twigs; dense thickets good for cover and nesting
vine maple	*Acer circinatum*	SPACING: 3-6'; tall, open shrub; moist soils, no prolonged saturation; half to full sun; beautiful fall colors; commonly used in landscaping	nesting for small birds; twigs, buds, and seeds eaten by many birds and small mammals
HERBACEOUS AND SEDGE SPECIES			
beaked sedge	*Carex utriculata*	SPACING: 1-2'; emergent sedge; shallow standing water to 1 foot	
broadleaf arrowhead (wapato)	*Sagittaria latifolia*	SPACING: 1-2'; rooted aquatic with attractive white flowers; still or slow-moving water; reproduces by tubers and rhizomes	tubers eaten by waterfowl
hardstem bulrush	*Scirpus acutus*	SPACING: 1-2'; tall (to 8 feet) emergent sedge that forms dense stands; shallow standing water up to 3 feet deep	stems used by birds for nesting material and nesting habitat; seeds eaten by waterfowl
narrowleaf burreed	*Sparganium emersum*	SPACING: 1-2'; low-growing emergent with large, attractive fruits; shallow standing water to 3 feet deep	
slough sedge	*Carex obnupta*	SPACING: 1-2'; emergent sedge; spreads to forming extensive stands; saturated to shallow standing water to 1 foot	
water-parsley	*Oenanthe sarmentosa*	SPACING: 1-2'; low-growing, mat-forming rooted semi-aquatic; constant saturation or standing water; partial to full shade; replants easily, spreads well, useful in settling sediment	toxic to wildlife but not problematic
wooly sedge	*Scirpus atrocinctus*	SPACING: 1-2'; tall emergent in dense tufts; attractive flowering heads with wooly appearance; tolerates shallow inundation to 1 foot	good food source for waterfowl; leaves used by waterfowl for nesting material

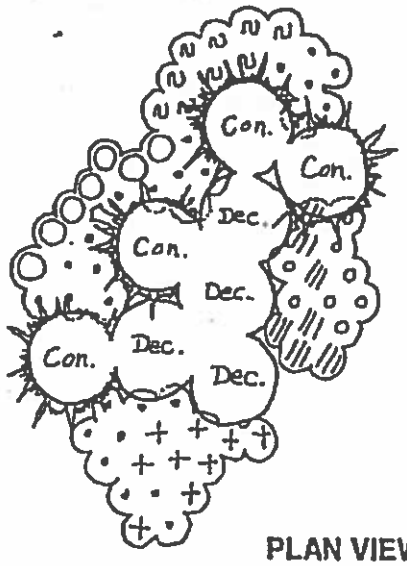
PLANTS FOR WET SUNNY WETLAND MARGINS

Choose from the following species:



CROSS SECTION

Con.= coniferous tree
Dec.= deciduous tree



PLAN VIEW (SCALE: 1"= 20')

This plan view shows a typical assemblage of plants that you might install in your backyard adjacent to the slough. The most naturalistic planting scheme is one where plants of the same species are planted in clumps or groups with the plants in each group close together (2-4' apart for shrubs, 3-10' apart for trees depending on the species) and irregularly spaced. The symbols used do not represent any particular species, but intend to illustrate this clustering strategy, which mimics the drifts and groupings of plant species as they occur in nature. Consult the accompanying plant list and the cross section shown above to put plants in the right place with regard to soil moisture. Species that prefer moister soil regimes should be planted downslope towards the slough where moisture is greater. Likewise, plants that need drier growing conditions should be planted higher on the bank.

SKAGIT COUNTY
BOARD OF COMMISSIONERS

RON WESEN, First District
KENNETH A. DAHLSTEDT, Second District
SHARON D. DILLON, Third District

June 19, 2014

Dominique.hampton@psp.wa.gov

Puget Sound Partnership
326 East D Street
Tacoma, WA 98421

Re: Skagit County's Comments Regarding Puget Sound Partnership Leadership Council's Proposed Resolution 2014-02 Funding Alignment with Salmon Recovery

In response to Puget Sound Partnership's draft resolution 2014-02 addressing Funding Alignment with Salmon Recovery the Skagit County Board of Commissioners would like to comment in regard to potential unintended consequences of this proposed action.

In Skagit County, we represent a diverse watershed that supports the largest run of wild Chinook in the Puget Sound as well as healthy runs of Pink; Coho; Chum; Sockeye, Bull trout and Searun Cutthroat. The Board of Skagit County Commissioners has consistently supported salmon recovery efforts. In fact, we reauthorized our Clean Water Program this month. The Clean Water Program generates more than $1.3 million annually to address restoration and water quality issues.

The Board of County Commissioners coordinates the Farmland Legacy Program, a special tax levy that purchases development rights on agricultural land preventing urban encroachment both on farmland and critical areas that could be affected by this resolution.

Each year, we partner with tribes and non-profit organizations to leverage state and federals efforts to improve water quality and improve habitat. We have consistently committed monetary resources and staff time to be good partners to make significant progress in the Skagit basin.

Our concern about the draft resolution is that it would discourage voluntary engagement by landowners, hindering progress and community momentum in attaining our mutual goals. The buffer requirements outlined in the National Oceanic and Atmospheric Administration's (NOAA) Interim Plan would have prevented many of our successful projects from being implemented and would discourage many private property owners from participating.

Landowner cooperation is essential for successful projects. Our Natural Resources Stewardship Program, funded by the Department of Ecology with a 25 percent County match has successfully protected 34,813 feet of stream bank with enhanced riparian buffers, planted more than 22,000 trees, protected 51 acres, installed large woody debris in 100 locations and enhanced three livestock crossings. With the proposed resolution's restrictions on state funding, this program would not have gotten off the ground, nor would we have applied for the grants or made the $200,000 match from Skagit County funds. Since this program started, three subsequent grants

have been acquired and additional county funds have been expended. With new strings attached to these dollars many landowners would not have enrolled.

Adding additional strings to state and federal dollars would mean fewer projects on the ground. With the significant financial matches and commitment of staff to these programs, these aren't "capacity" dollars needed for essential services provided by county government. Receiving these dollars and putting them on the ground is a huge commitment of local resources, where we provide the match and the actual work on the ground. Restoration of Puget Sound and our depleted salmon runs will not be accomplished by limiting restoration opportunities to only those private landowners willing or able to provide large buffers widths.

We appreciate your policy people in their efforts to build consensus on solutions but we do not see this resolution accomplishing that. Our commitment to the Puget Sound Partnership and salmon restoration efforts in Skagit County would not be enhanced by the signing of this resolution.

We have a successful track record of working with property owners to improve water quality and enhance salmon habitat. We are building momentum and building public trust. We feel that approving this resolution would have a negative impact on our ability to continue our restoration efforts in Skagit County.

Respectfully,

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY WASHINGTON

Ron Wesen, Chair

Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon, Commissioner

cc: Dan Berentson, Skagit County Public Works Director

Hampton, Dominique (PSP)

From: pgypsy@wavecable.com
Sent: Friday, June 20, 2014 8:41 AM
To: Hampton, Dominique (PSP)
Subject: NMFS Resolution Endorsement from PSP Leadership Council

I am still not sure I have seen the NMFS Interim Buffer Guidelines referred to in the resolution and I do not know how anyone else invited to comment would be able to see them either.

I do support the Council endorsing the use of science-proposed buffers along streams, waterways, ditches and such that have the potential to transport agricultural pollution into larger state waters and shellfish beds. Even this baby step of tying that use to accepting federal incentive money is going in the right direction.

I would even prefer they endorse stronger legislation requiring such science-proven buffers – period, not just for use in accepting federal incentive money. Agriculture is about the only industry or activity that is not required to have some sort of anti-pollution permit. Our state could become a leader in this effort.

Lastly I would like to see the Stormwater Research activity at the Puyallup Research Center expanded to include some broad, serious, robust efforts at advancing the science of buffers in NW Washington. It's a natural next step there and could go a long ways at breaching the divide between agriculture and "environmentalists" ... I believe the Leadership Council could easily encourage some of the Puget Sound Fix-up money to be sent to that effort.

Thanks – Peter Haase, Bow, Wa.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 24, 2014

Ms. Dominique Hampton
Special Assistant to the Boards
Puget Sound Partnership
326 East D Street
Tacoma, WA 98421

Dear Ms. Hampton:

Thank you for this opportunity to provide comments on the proposed Puget Sound Partnership's Leadership Council resolution concerning Funding Alignment with Salmon Recovery. We write in support of the resolution and the need to increase protection and accountability for riparian projects. While the state has made progress on improving water quality and salmon habitat, significant challenges remain. Increased riparian protection and restoration is needed to achieve water quality and salmon recovery goals. This past year the Department of Ecology (Ecology) adopted the interim minimum guidelines pursuant to EPA and NOAA direction.

Incentive programs are often the first tool the state uses to encourage on-the-ground environmental improvements. With limited resources it is important to spend public money on projects that promote compliance with Washington's water quality standards, and protect salmon and their habitat. Science based minimum guidelines, as embodied in the NOAA guidance, promote accountability and ensure that the most effective projects are implemented with public dollars. Without minimum standards we risk investing in projects that do not support attainment of water quality standards and adequate protection of salmon and shellfish. Clear standards ensure protective projects receive funding. As the agency responsible for regulating water quality and implementing water quality standards that set important criteria for salmon and shellfish protection, we think that grant programs that are designed to meet the science and water quality standards provide the best investment of public funds.

While recognizing that each funding program will have its own specific eligibility requirements, we see significant benefits to better aligning voluntary incentive programs with the recommendations. In addition to having a consistent message about what is needed to achieve salmon recovery and water quality goals, aligning programs with the guidance would support a better integration of the numerous programs and efforts aimed at salmon recovery, protection of shellfish beds, habitat protection and water quality protection. Support from the Leadership Council would help encourage consistency and better integration of important state initiatives.

Finally, we also support efforts to improve data collection. Improved data collection will assist future evaluations of the effectiveness of incentive programs at meeting water quality standards and salmon recovery goals.

Again, thank you for this opportunity to provide comments on the Puget Sound Partnership's Leadership Council's resolution concerning Funding Alignment with Salmon Recovery. We support the adoption of the Funding Alignment with Salmon Recovery resolution. As outlined above, the minimum guidelines are science based, ensure accountability, support funding for the best projects, provides consistency across incentive programs, and provides a meaningful illustration about what is needed to achieve *both* water quality and salmon recovery goals.

If you have questions regarding these comments, please feel free to contact Ben Rau at (360)-407-6551 or ben.rau@ecy.wa.gov.

Sincerely,

Kelly Susewind
Special Assistant to the Director

cc: Ben Rau, Ecology

Hampton, Dominique (PSP)

From: Mark Powell <mark@wecprotects.org>
Sent: Tuesday, June 24, 2014 3:01 PM
To: Hampton, Dominique (PSP)
Subject: Re: Public Comment Opportunity on PSP Leadership Council Resolution 2014-02 - Funding Alignment with Salmon Recovery

Leadership Council members,

The resolution (Resolution 2014-2, Funding Alignment with Salmon Recovery) put forth by the Northwest Indian Fisheries Commission reflects the important need to align public funding for voluntary incentive programs with effective approaches for improving aquatic ecosystem function. WEC agrees that we need greater accountability on how these hard won dollars are spent, and we support the proposal.

Applying scientifically sound riparian buffer conditions to publicly-funded voluntary improvement projects can provide meaningful incentives to improve riparian habitat and water quality; such improvements are needed if we are to achieve our shared goal of improving the Puget Sound ecosystem.

Our understanding of this proposal is that it would not undermine state or local regulations that may require wider riparian buffers in some circumstances, and it would be useful to clarify this point.

This type of resolution and effort may be beneficial for restoring and recovering Puget Sound. WEC suggests a process where performance of publicy funded voluntary buffer projects can be reviewed and discussed to determine if funding approaches or other modifications are needed. Thank you for considering our comments and we would be happy to answer any questions about our views.

Regards,

Mark Powell

Puget Sound Program Director
Washington Environmental Council

Mark Powell | Puget Sound Program Director
Washington Environmental Council
phone 206.631.2611
email mark@wecprotects.org | web www.wecprotects.org
office 1402 Third Avenue | Suite 1400 | Seattle, WA 98101

WASHINGTON ENVIRONMENTAL COUNCIL

American Farmland Trust

SAVING THE LAND THAT SUSTAINS US

Ms. Martha Kongsgaard, Chair
Puget Sound Partnership Leadership Council
Tacoma, Washington

May 29, 2014

Dear Ms. Kongsgaard,

I am writing today in opposition to the proposed resolution 2014-02 regarding funding alignment with salmon recovery that is currently before the Leadership Council.

American Farmland Trust is wholly in support of larger and more effective riparian buffers on salmon-bearing streams in farm and ranch communities. We have actively worked on more effective farm buffers through the Pioneers in Conservation small grant program, which has allocated million of dollars to on-farm conservation projects on salmon bearing streams since 2005, as well as through substantial technical assistance and on-the-ground restoration initiatives on farms.

The success of these efforts, and those of our many partners, begins with an appreciation that landowner participation is entirely voluntary. Farmers and ranchers must feel that it is in their best interest to participate and that restoration can be accommodated within their fundamental goals for agricultural production.

It has been fairly easy to find farmers and ranchers willing to host restoration projects on their land, even though doing so can require modifying agricultural operations and sharing in project costs. This work has long been constrained primarily by the very small pools of funding available to support conservation programs on agricultural land. AFT and our partners could do vastly more of this work if we had the resources and it is exciting to imagine how effective these efforts could be if they were adequately funded.

While the NMFS-recommended buffers make perfect sense as a goal, they are likely to be counter-productive if used to condition funding programs. Recent experience with NRCS EQIP grant programs confirms what we have heard from farmers and ranchers: high minimum standards for federal and state cost-sharing programs will discourage many from participating. While the few who opt in to programs designed this way will have large buffers, the withdrawal of critical cost-sharing dollars from the others - the majority of farmers and ranchers – will result in fewer

and smaller buffers elsewhere. It is hard to imagine a strong scientific argument for this outcome.

We think that a strong case can be made that a higher environmental benefit can be achieved at a lower cost if conservation investments are concentrated in key locations in agricultural landscapes rather than spread far and wide, and have been field-testing methods for identifying priority parcels in the Nooksack and Snohomish basins. Some places appear to need NMFS-grade buffers far more than others. The winning combination on buffers would appear to include a scientifically robust targeting method, a very compelling set of incentives for landowner participation, and flexible standards that would allow the restoration prescription to be customized to the unique circumstances of the farm and ranch landscape. We would be enthusiastic about working with the Puget Sound Partnership to design and implement such a system.

We are convinced that farmers and ranchers can play a very constructive role in Puget Sound recovery and that they are eager to do so if programs are appropriately crafted to advance their environmental and agricultural goals. We look forward to working with you on refining the buffer strategy to accomplish this. Thank you for the opportunity to comment.

Sincerely,

Dennis Canty
Pacific Northwest Director
American Farmland Trust

Tuesday, June 24, 2014

Puget Sound Partnership
Attn: Ms. Dominique Hampton, Special Assistant to the Boards
326 East D Street
Tacoma, WA 98421

VIA E-mail Dominique.hampton@psp.wa.gov

RE: Skagitonians to Preserve Farmland's (SPF) Comments Regarding Puget Sound Partnership Leadership Council's Proposed Resolution 2014-02 Funding Alignment with Salmon Recovery

Dear Ms. Hampton:

I want to thank you and the Leadership Council for the opportunity to comment on proposed Resolution 2014-02 calling for the compulsory application of NOAA's buffer table recommendations to voluntary steward programs applied to agricultural resource lands within Puget Sound.

Continued conversion of our farmland has put the agricultural industry in Puget Sound at serious risk. Our farmed lands, in addition to providing food and fiber, supply scenic open space, foster tourism, provide forage and shelter for wildlife and help filter impurities from our air and water. Fair and equal consideration needs to be established between the preservation of our State's farm and ranch lands and the protection of our State's other critical areas and environmental resources. The Growth Management Act (GMA) requires the designation and protection of our agricultural resources lands in addition to other critical areas.[1]

However, to date, the bulk of the land use and environmental policy promulgated in Washington State has devalued our agricultural resource lands. This has resulted in our agricultural lands becoming the consumptive land base for all other uses; public open spaces, residential expansion, commercial and industrial expansion and for habitat restoration.

- ***The Puget Sound region has lost 60% of its farmland since 1950.***[2]
- ***Since the passage of the Growth Management Act (GMA) from 2001 to 2006 approximately 4,300 acres farmland has been converted to impervious surfaces in Puget Sound.***[3]

[1] RCW 36 70A.060 and RCW 360 70A 070(5)(c)(v).
[2] Losing Ground: Farmland Protection in the Puget Sound Regions. (pp 6) American Farmland Trust 2012.
[3] 2011 Implementation Status Assessment Final Report. A Qualitative Assessment of Implementation of the Puget Sound Chinook Salmon Recovery Plan A Report to the National Marine Fisheries Service. Page 15

In recent years the PSP has recognized that a strategic part of its plans for improving the health of Puget Sound and the recovery of salmon includes the protection of our farmlands. Policy guidance from the *Puget Sound Partnership 2012-2013 Action Agenda* to better protect agricultural lands, in part states:

> *Maintaining the vibrancy of agriculture is crucial to recovering Puget Sound and instrumental in providing a high quality of life in the region. . . . The continued loss of farms in the region and conversion to non-farm uses is not only detrimental to individual farmers and to the regional farm economy, but is detrimental to the recovery of Puget Sound.* [4]

Both the Washington State Department of Ecology (Ecology) and the Legislature have recognized the continuing loss of farmland in Washington is a serious issue. In 2010 Ecology wrote and published guidance on *Impacts to Agricultural Lands*. In 2012 the Legislature passed SB 6082, codified as RCW 43.21C.011, declaring it is now:

> *. . . . the policy of the state to identify and take into account the adverse effects of these actions on the preservation and conservation of agricultural lands; to consider alternative actions, as appropriate, that could lessen such adverse effects; and to assure that such actions appropriately mitigate for unavoidable impacts to agricultural resources . . .*

In 2013 the Governor established a new *Working and Natural Lands Priority* to:

- ***Increase the net statewide acreage dedicated to working farms from 7.237 million to 7.347 million by 2020.*** [5]

- ***Maintain current level of statewide acreage dedicated to working farms with no net loss through 2015.*** [6]

Finally, Ecology amended the State Environmental Policy Act Checklist on May 10, 2014, in part, to better address impacts to agricultural resource lands as directed by the Legislature pursuant to RCW 43.21C.011(2) and (3).

Given the above, the PSP has a public responsibility - if not a legal duty - to develop new policies and programs, as well as to balance existing policies and programs, to address the legislative intent of RCW 36.70A.060, RCW 360.70A.070(5)(c)(v), RCW 43.21C.011 and the Governor's *Working and Natural Lands* goals identified in *Results Washington*, with the State's other priorities.

SPF recognizes the importance of tribal concerns regarding tribal treaty rights and salmon protection in Puget Sound. SPF also recognizes the importance and duty for the agricultural community in Puget Sound to be a strategic partner in efforts to help in the recovery of Puget Sound. In Skagit County, the agricultural community is a proud and

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[4] Puget Sound Partnership. The 2012/2013 Action Agenda for Puget Sound August 28, 2012 Page 51
[5] Results Washington Goal 3 Outcome Measure 4.1
[6] Ibid. Measure 4.1.a

committed partner in numerous efforts aimed at balancing the multiple public priorities competing for use of privately owned agricultural land.

However, the policy framework behind the NOAA's recommended minimum buffer requirements is ill-conceived and is implemented in and around agricultural lands with little thought to existing land ownership and farming practices which have kept impervious surfaces off hundreds of thousands of acres of farmland within Puget Sound while contributing positively, to a very large degree, to the overall health of Puget Sound.

It is known and understood that requiring mandatory buffer widths in voluntary stewardship programs do not lead to the resource management outcomes desired. Please refer to analysis done by King County's Water and Land Resources Division on the implications of mandatory minimum buffer guidelines to Ecology's grant program. In that analysis it is documented that fewer landowners participate and less acres of habitat is protected or restored when ***mandatory*** minimums are required. Also refer to local conservation districts who have reported time and time again, that landowner participation drops off once mandatory minimum buffer widths become requirements of voluntary stewardship programs.

In Skagit County the agricultural community has entered into numerous voluntary programs to improve water quality and habitat function within Skagit County's agricultural areas. Some of these agreements include, but are not limited to:

- The Drainage Fish Initiative (DFI), a model agreement entered into in 2005 which is now being replicated in Snohomish County.

- The Tidegate Fish Initiative (TFI), a voluntary agreement which is facilitating the creation of Chinook habitat on private land pursuant to the Skagit Chinook Recovery Plan.

- The Farms, Fish, Flood Initiative (3FI), which is the result of the highly successful *Fisher Slough Habitat Restoration Project* and which Ecology's new Floodplain By Design program is being modeled.

- The Clean Samish Initiative, which is using voluntary stewardship programs to successfully identify and address water quality concerns and which is leading to improvements in water quality and habitat function. To date the Clean Samish Initiative has:

    - Protected 2,909 acres by resource management plans.

    - Engaged 2,207 citizens in water quality workshops.

    - Protected 1,707 acres with nutrient management plans.

    - Inspected over 1,584 residential on-site septic systems.

- Planted over 164 acres of riparian buffers.
- Repaired or replaced 115 on-site septic systems.
- Provided 55 landowners with technical assistance to improve water quality.
- Conducted 27 water quality workshops.
- Protected over 23.66 miles of stream with farm plans.
- Installed 17 pet waste stations and 12 portable toilets.

In addition, through work initiated by Skagit County's Natural Resources Stewardship Program, Skagit County has successfully protected approximately 35,000 feet of stream bank with riparian plantings, planted more than 22,000 trees, installed large woody debris in 100 locations and enhanced three livestock crossings.

The common element in all of the above is that it has been done through ***voluntary stewardship*** and cooperation with willing landowners. The State Supreme Court has already established that agricultural lands are generally exempt from mandatory buffer requirements. The resolution under consideration rejects the State Supreme Court's ruling and presumes all agricultural landowners are guilty of water quality violations and presumes all agricultural activity harms fish, threatens salmon recovery and therefore impairs treaty rights,[7] when in fact, in nearly all cases, agricultural land owners are doing nothing wrong.

Forcing mandatory buffers widths on voluntary stewardship programs creates an "all or nothing" approach to the science of natural resource management and sacrifices the good in a vain attempt to achieve the perfect. The Skagit and Samish Deltas are complex landscapes with many natural resource management issues that must be managed by multiple partners, including nearly 30 individual special purpose taxing districts that operate under a myriad of State statutes and authorities such as RCW Title 85 and Title 86.

These special purpose taxing districts operate and manage man-made and modified natural water courses within specific rights-of-way that they own outright or have prescriptive rights and easements for purposes of managing and maintaining infrastructure for drainage, irrigation and flood control. Landowners, agencies and organizations desiring to undertake voluntary projects within and along infrastructure owned and maintained by these special taxing districts must also obtain permissions and approvals from these special taxing districts. Additionally, projects proposed within these areas must be designed and maintained so as not to interfere and/or prevent the legislatively mandated duties and functions of these special taxing districts.

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[7] Larry Wasserman, letter to U.S. Environmental Protection Agency (EPA), Washington State Department of Ecology and the National Oceanic and Atmospheric Administration (NOAA) Restoration Center, May 21, 2012

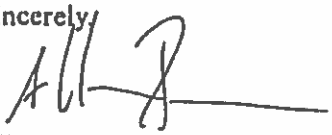
Finally, many miles of this managed infrastructure has never been accessed by salmon. Applying an administratively established minimum buffer width in areas where salmon have never been and/or thrived will deliberately foster ill-will and create disincentives for agricultural landowner participation in higher priority habitat restoration projects in the future.

Mandatory minimum buffers widths is a one-size-fits-all solution to a problem that, in many cases, has not been adequately identified, resulting in single resource management outcomes and often creating unintended management challenges. Mandatory minimum buffer widths focus principally on one performance metric, resulting in a distorted sense of a project's effectiveness in achieving recovery goals. Nearly all natural resource management organizations utilize best available science to establish meaningful riparian buffers which are related to the geography of a site and the specific resource management objectives to be achieved. Setting a policy to establish mandatory minimum buffer widths, while easy to administer, ignores the complexity and science around effective riparian restoration and management.

Skagitonians to Preserve Farmland respectfully requests the PSP Leadership Council reject the resolution under consideration, a resolution which, from a broad public policy perspective, proposes to penalize tens of thousands of landowners throughout Puget Sound who have been protecting and stewarding their private lands to produce food and fiber while also providing proven environmental benefits that contribute positively to the health of Puget Sound. We don't penalize *Good Samaritans* who help people in distress. Why do we want to penalize agricultural landowners who want to volunteer to help improve water quality and habitat function?

Thank you again for allowing this opportunity to provide public comment on the proposed resolution. If you have any questions or desire additional information about our comments, please do not hesitate to contact me by phone at 360.336.3974 or by e-mail at allenr@skagitonians.org.

Sincerely,



Allen Rozema
Executive Director

Hampton, Dominique (PSP)

From:	John Stuhlmiller <JStuhlmiller@wsfb.com>
Sent:	Tuesday, June 24, 2014 3:55 PM
To:	Hampton, Dominique (PSP)
Cc:	Grayum, Michael (PSP); Johnson, Eric; Bill Ruckelshaus; Kern, Michael; Rich Innes; Clark, Mark (SCC); Shultz, Ron (SCC); David Vogel; Streuli, Mark (AGR); Susewind, Kelly (ECY); Phillips, Keith (GOV); Jennifer Austin
Subject:	FW: Washington Farm Bureau Comment on PSP Leadership Council Resolution 2014-02
Attachments:	Ag Summit Buffer letter to Congress.pdf; Snohomish Basin Riparian Buffer letter.pdf; Cowlitz Tribal letter on Riparian Buffers[2].pdf

WASHINGTON FARM BUREAU

Dear Puget Sound Partnership Leaders:

On behalf of Washington Farm Bureau's more than 41,000 members, I write to respectfully request that the Puget Sound Partnership not impose proposed buffer-width preconditions on PSP program funding. Washington's farm and ranch families take pride in their environmental stewardship, and many look forward to working with tribal and environmental leaders to promote environmental enhancements. However, Washington's agricultural community is deeply concerned about this PSP proposal.

This PSP proposal starts by taking too much. It then creates an overly cumbersome process to provide a potential (but completely uncertain) measure of relief from undue burdens. This approach does not work for producers on the ground. It is backward because it ignores the need for a roughly proportional nexus between concerns and conditions. Worse, unlike NRCS standards, the PSP-proposed standards are not supported by credible peer-reviewed science.

The PSP proposal is also counter-productive. The proposed minimum width buffer guidelines mirror the approach recently taken by NOAA Fisheries and EPA with regard to National Estuary Program funding. These NEP preconditions destroyed producer participation because the buffer widths presumptively take far too much prime farmland out of production per buffered mile, without incentives to compensate for the productive land lost.

Thus, preconditioning funding with unwarranted buffer conditions simply ensures that the funds will not be spent on restoration activities on agricultural lands. Destabilizing conservation incentive programs, which have historically been used to improve environmental outcomes on working lands, is fiscally and environmentally irresponsible.

In contrast, NRCS standards reflect balance between conservation incentives and trusted, science-based conditions. This workable approach promotes participation and spreads good environmental outcomes across the landscape. This is why the agricultural community worked closely with tribal, county and environmental interests to create the Voluntary Stewardship Program. VSP, which passed Washington's legislature with very strong bipartisan support, is about programmatically protecting critical areas associated with agricultural activities and promoting voluntary enhancement opportunities, while also maintaining and enhancing the economic viability of agriculture.

Without profitability, the open spaces of Washington's farms and ranches will continue to get paved over and converted into subdivisions. Trusted local food production will continue to get displaced by food grown elsewhere with little or no regulation. To preserve the state's agricultural land base for generations to come, these two objectives – environmental and agricultural improvement – must be seen as mutually reinforcing.

To that end, we have been asked to attach a letter signed by a coalition of agricultural organizations to help PSP leadership understand the broad agricultural opposition to these proposed buffer preconditions. Please consider the attached letter — entitled "A Joint Plea to the Washington Congressional Delegation from the Major Agricultural Associations in Washington State" – as also being applicable to this PSP Proposal.

We are also attaching letters to the Salmon Recovery Funding Board from Terry Williams of the Tulalip Tribes (which Mr. Williams sent on behalf of the Snohomish Basin Salmon Recovery Forum), and from Cowlitz Tribe Restoration Ecologist Eli Asher. Mr. Williams relates concern that minimum buffer width guidelines "may result in the Snohomish Basin (and other basins) falling further behind in implementation targets" for Puget Sound Salmon Recovery. Similarly, as Mr. Asher

explains, "local and regional processes are already working," and the proposed buffer policy "ignores natural site processes," "alienates willing landowners," and "promotes perfection at the expense of the good." These SRFB letters, which articulate the rationale behind our shared concerns, are also on point regarding this PSP proposal.

Thank you for considering these concerns. Please accept them in the spirit of cooperation and hoped-for collaboration. We look forward to working with you to promote improved environmental and agricultural outcomes moving forward.

Please let us know what Washington Farm Bureau can do to help.

Sincerely,

John Stuhlmiller
Chief Executive Officer

Cell: 360.870.6017
Office: 360.528.2903

From: Hampton, Dominique (PSP)
Sent: Wednesday, June 11, 2014 3:45 PM
To: Hampton, Dominique (PSP)
Subject: Public Comment Opportunity on PSP Leadership Council Resolution 2014-02 - Funding Alignment with Salmon Recovery

To Interested Parties:

The Puget Sound Partnership's Leadership Council is soliciting comments on a resolution proposed by the Northwest Indian Fisheries Commission supporting the use of minimum riparian buffers for voluntary incentive funding programs. The NWIFC requested that the Leadership Council consider such a resolution at their May meeting. However, because many interested parties wanted more time to comment to the

A Joint Plea to the Washington Congressional Delegation from the Major Agricultural Associations in Washington State.

RE: Federal Conservation Programs

June 7, 2013

U.S. Senator Patty Murray
U.S. Senator Maria Cantwell
U.S. Representative Suzan DelBene
U.S. Representative Rick Larsen
U.S. Representative Jaime Herrera Beutler
U.S. Representative Doc Hastings
U.S. Representative Cathy McMorris Rodgers
U.S. Representative Derek Kilmer
U.S. Representative Jim McDermott
U.S. Representative Dave Reichert
U.S. Representative Adam Smith
U.S. Representative Denny Heck

Dear Senators and Representatives:

As representatives of the agricultural community in Washington State, we are concerned about recent conditions being placed on participation in federal conservation programs.

We are concerned that these conditions will make it too costly and harmful for agricultural producers to participate in various conservation programs, leading to less benefit to producers and the environment.

In a letter to USDA Natural Resources Conservation Service and EPA, NOAA Regional Administrator Will Stelle again insisted upon large buffers on agricultural lands that were determined to be economically unacceptable and environmentally unnecessary during the Agriculture, Fish and Water (AFW) process more than 10 years ago.

These proposed buffers could reach widths of two hundred feet or more, depending on water typing. Since these buffers are applied to each side of a stream or river, this would result in a total buffer of more than four hundred feet. At the maximum buffer width on agricultural land, nearly 50 acres of land could be taken out of production per mile.

Whether these restrictions are applied in the Puget Sound region or anywhere in the state, they will be an extreme discouragement to participation in federal conservation programs.

Washington State is second only to California in terms of agricultural diversity. There are more than 300 unique commodities grown in our state. Some operations require thousands of acres to remain economically viable, while others can thrive on just five acres.

Requiring large buffers as a condition of participating in federal programs will result in limiting participation to only those who no longer have an interest in the economic viability of productive farmland.

These large buffers were rejected for both economic and scientific reasons more than 10 years ago. The reasons for rejecting them are as valid today as they were at the time of their proposal.

To make matters worse, federal agencies are beginning to apply these large buffers as a conditioned (or pre-requisite) practice, mandating its implementation as a condition of receiving conservation funding for other needed practices. (This was the case for the NRCS 2013 EQIP Puget Sound salmon recovery initiative, which required use of the NOAA buffer.) Where a producer normally has a choice about implementing a practice, this mandate would remove the producer's choice, other than to decline to participate in the program at all. The expected loss of participation will be a disastrous turn for the Farm Bill conservation title and state and local conservation programs. Farmers will simply refuse to participate with this type of coercion.

The agricultural community has participated in numerous efforts to create flexible conservation and voluntary stewardship programs that will work for agriculture and meet local and state goals to improve the environment.

Recently, our agricultural community worked with tribal, county and environmental interests to create the Voluntary Stewardship Program (VSP).

The VSP is modeled after successful local efforts in the Nisqually, Walla Walla, Snohomish, Upper Columbia, Dungeness and many other areas. In each area, local stakeholders worked together to lay their interests on the table and work together to achieve progress for all of those interests.

Our vision with the VSP is to see productive and viable agriculture and a healthy environment. These are not mutually exclusive outcomes.

Rigidly clinging to old ideas and old demands will leave us in a political and legal system that wastes millions of dollars in the courtrooms instead of spending resources working cooperatively to ensure positive outcomes for agriculture and the environment.

Your leadership is necessary to ensure the viability of important federal conservation programs and maintain their value to the diversity of Washington State agriculture.

We ask you to engage with the agencies to rein in these recent restrictions that will make federal conservation programs less successful.

Sincerely,

Washington State Dairy Federation
Washington State Farm Bureau
Columbia-Snake River Irrigators Association
Washington Cattle Feeders Association
Washington Cattlemen's Association
Washington Friends of Farms & Forests
Washington State Sheep Producers Association
Washington State Grange
Washington Blueberry Commission
Cattle Producers of Washington
Washington Growers Clearing House Association
Washington State Nursery and Landscape Association
Ag., Water & Power Users of Eastern Washington
Washington Asparagus Commission
Hop Growers of Washington
Association of Washington Aerial Applicators
Washington State Horticultural Association
Yakima Valley Growers-Shippers Association
Washington Association of Wheat Growers
Northwest Dairy Association
Wenatchee Valley Traffic Association
Far West Agribusiness Association
Washington Turfgrass Seed Commission
Washington Canola/Rapeseed Commission
Washington State Potato Commission
Western Washington Agricultural Association
Oregon-Washington Pea Growers Association
Northwest Bulb Growers Association
Washington Association of Wine Grape Growers

C: DOE Director Maia Bellon
WSDA Director Bud Hover
Conservation Commission Executive Director Mark Clark
NRCS Washington State Conservationist Roylene Rides at the Door
Bill Ruckelshaus, the Ruckelshaus Center

SNOHOMISH BASIN SALMON RECOVERY FORUM

May 1, 2014

Dear Salmon Recovery Funding Board Members;

The Snohomish Basin Salmon Recovery Forum (Forum) would like to thank you for your work and commitment to support the recovery of Puget Sound Chinook salmon. We appreciate the support you have given to Snohomish projects in the past and recognize the essential funding role you play in advancing the recovery goals in each watershed.

The Forum was formed in 1998 to coordinate the effective implementation of salmon recovery efforts in the Snohomish Basin, and develop the Snohomish River Basin Salmon Conservation Plan in 2005. The Forum has 41 members including high level decision-making representatives from the 14 municipalities within the watershed, King and Snohomish Counties, the Tulalip Tribes, seven special purpose districts, 11 special interest groups including four farmers and three citizens as well as representatives from federal and state agencies.

A critical component of the work supported by this group is habitat restoration actions consistent with the Puget Sound Salmon Recovery Plan. The success that the Snohomish Basin has had in achieving progress towards habitat benchmarks is largely due to the strong cross-sector partnerships that result in on-the-ground projects. However, the Snohomish Basin remains behind schedule on implementation of our recovery actions. We believe the recent SRFB proposal to implement guidelines for minimum buffer widths for projects with a specific objective to improve riparian habitat may result in the Snohomish Basin further falling behind in implementation targets.

The Forum recognizes the importance and intent of buffer widths that protect critical ecological functions, including shade and groundwater filtration. The Forum is working with partners to develop creative solutions in order to achieve these ecological functions and maintain support all Forum partner goals. The Forum asks that these project-specific decisions be left to the technical experts and SRFB-committee members in the Snohomish Basin.

A recent project proposal by watershed partners submitted to the NEP Watershed Grant program in the French Creek Basin worked to address creative ways to achieve the ecological function while retaining agricultural production goals. This project partnership, grown out of the Snohomish Sustainable Lands Strategy, consists of the Snohomish Conservation District, Tulalip Tribes, Forterra, and local farmers. The partners were disappointed to hear that despite receiving funding for most components of the proposal, the groundbreaking and carefully crafted solutions for riparian buffers was excluded for funding due to similar riparian buffers policies adopted by Department of Ecology. This is

an example of where months of work resulted in fewer gains in an area that has historically been extremely difficult to make any progress towards salmon recovery goals.

The Snohomish Forum appreciates the Board's consideration of these comments.

Sincerely,

Terry Williams, Tulalip Tribes
Snohomish Basin Salmon Recovery Forum Chair

cc:
Forum Members and Interested Parties

Cowlitz Indian Tribe

Natural Resources Department

Salmon Recovery Funding Board (via email)
policychanges@rco.wa.gov

April 30, 2014

RE: SRFB riparian guideline comments

Members of the Salmon Recovery Funding Board:

Thank you for the opportunity to comment on the Board's decision(s) regarding the establishment of riparian restoration guidelines for salmon recovery grants. I am concerned that establishing minimum buffer widths will adversely affect salmon recovery efforts in the state. I have based my comments on a decade of proposing, managing, and reviewing hundreds of habitat restoration projects throughout Washington and Oregon.

Question 1: Should the board adopt guidelines for minimum buffer widths for projects with a specific objective to improve riparian habitat? If yes, should the guidelines apply to Puget Sound only, western Washington only, or statewide?

I respectfully recommend that the board avoid adopting any policy regarding minimum buffer widths. I have three primary concerns with the proposed policy: first, the policy ignores natural site processes; second, the policy alienates willing landowners; and third, the policy promotes perfection at the expense of the good.

This policy ignores natural site processes.
I understand that guidelines must be general. These guidelines, however, emphasize one metric—buffer width—while ignoring arguably more important factors. Most natural resource management agencies employ complex methods to establish meaningful buffer widths that relate to site potential tree heights, adjacent slope and aspect, stream type, and stream size. The application of a one-size-fits-all buffer ignores important physical geography of the site.

Buffer width is only one part of an effective riparian restoration project. Plant selection, stem density, and maintenance can be more important than buffer width in establishing a functional riparian corridor. Setting a policy establishing buffer widths ignores the complexity of effective riparian restoration.

This policy alienates willing landowners.
The absurdity of an all-or-nothing approach will not be lost on landowners. Under current laws, agricultural lands are generally exempt from riparian buffer requirements.

Cowlitz Indian Tribe Natural Resources Dept
1055 9th Avenue – P.O. Box 2547 – Longview, WA 98632 – 360-353-9425
www.cowlitz.org

Willing private landowners are therefore basis for enacting salmon recovery actions throughout the state on agricultural lands. Project sponsors work for years to develop relationships with landowners, often resulting in incrementally increasing project scopes as landowners become more comfortable with salmon recovery efforts. If the board adopts this policy, it will send the message that willing landowners must bear the sole responsibility for restoring salmon habitat while their neighbors continue to cultivate up to the stream bank. Minimum standards belong in regulations—not voluntary programs.

This policy promotes perfection at the expense of the good.
My understanding is that NOAA and Ecology have identified these buffer widths as the minimum to meet habitat goals for salmonids with regard to water quality and in-stream wood contributions. In many cases, however, salmon recovery efforts are unable to achieve full habitat benefits on a site. The board has funded countless projects over the last decade that have acknowledged the necessary coexistence of salmonids and humans—levees are set back, not removed entirely; Puget Sound shorelines are soft-armored rather than completely disarmed; and undersized culverts are replaced with bridges or culverts adequately sized to pass fish, gravel, floods, and wood. In each of these cases, the board tacitly agrees that ideal habitat restoration would remove the levee, disarm the shoreline, and remove the entire road, but acknowledges the infeasibility of sacrificing human use of the landscape for the sole benefit of salmonid populations.

Riparian restoration projects are no different in that regard. As a project proponent working with a private landowner, my preference is to enroll the landowner in a program that fully buffers the homeowner's stream frontage. In many areas of the state, however, this would completely preclude the landowner's use of the property. Thirty-five foot buffers on agricultural ditches would effectively render many parcels worthless as agricultural ground. One-hundred-foot buffers would require abandonment of family homes, barns, and sheds. Under current guidance, larger buffers are preferred, but project proponents take what they can get—ten feet is better than nothing, and fifty feet is better than ten. Project proponents currently have no incentive to minimize buffer widths, but this policy implies that a buffer of less than ideal width is not worthwhile.

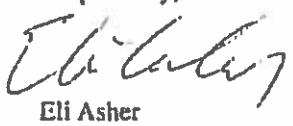
Question 2: What constraints would be reasonable justification for smaller riparian habitat buffers that are less than the guidelines?

By establishing minimum standards and requiring sponsors to justify actions, this policy will have a chilling effect on project proposals. The board is unlikely to collect an exhaustive list of instances where decreased buffer widths are justifiable, but if such a list existed, it would simply act to make an already long and complex process more arduous for potential project sponsors. The technical review panel already has the ability to deem proposals projects of concern without the additional layers of bureaucracy created by this policy. Please let them exercise that discretion.
Question 4: Should the board encourage prioritizing funding for riparian habitat projects that meet the guidelines? If so, how could the board encourage such prioritization at the local, regional or state level?

Cowlitz Indian Tribe Natural Resources Dept.
1055 9th Avenue – P.O. Box 2547 – Longview, WA 98632 – 360-353-9425
www.cowlitz.org

Regional and lead entity organizations currently prioritize projects under the general categories of benefits to fish, certainty of success, and cost. In practice, projects prioritized at the lead entity and state level are rarely re-ordered or re-prioritized by the board. This preserves local priorities and allows local and regional experts to decide what actions are most appropriate at the project site. Technical review panel members provide the board with a third-party check on the technical merit on a project-by-project basis. In essence, the local and regional processes are already working—this policy is a solution without a problem.

Respectfully,



Eli Asher
Restoration Ecologist

Cowlitz Indian Tribe Natural Resources Dept.
1055 9th Avenue – P.O. Box 2547 – Longview, WA 98632 – 360-353-9425
www.cowlitz.org

King County
Water and Land Resources Division
Department of Natural Resources and Parks
King Street Center
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206-477-4800 Fax 206-296-0192
TTY Relay: 711

June 24, 2014

Martha Kongsgaard, Chair
Puget Sound Leadership Council
326 East D Street
Tacoma, WA 98421

RE: Northwest Indian Fisheries Commission Proposed Resolution 2014-02 Funding Alignment with Salmon Recovery

Dear Chair Kongsgaard:

Thank you for the opportunity to comment on the Puget Sound Leadership Council's (PSLC) resolution, proposed by the Northwest Indian Fisheries Commission, supporting the use of minimum riparian buffers for voluntary incentive funding programs based on the National Marine Fisheries Service's (NMFS) guidance on riparian buffers. Though we support the science behind the NMFS guidance, we think that using it as a one-size-fits-all approach to increase buffer widths on critical stream habitat will actually result in less habitat restoration in the future.

King County's Water and Land Resources (WLR) Division works to protect and restore watershed conditions towards the goals of recovering thriving populations of salmon and improving water quality. King County depends on federal and state grants such as the Puget Sound Acquisition and Restoration program, National Estuary Program, Salmon Recovery Funding Board (SRFB), Section 319 and Centennial Clean Water grants to match our local funding to complete these projects. These grants, combined with other matching funds, have resulted in over 1,000 acres of habitat protected and over 200 acres of habitat restored within King County. With the help of these grants, we are making progress toward the PSLC's salmon recovery and Action Agenda goals, although much work remains to be done.

We share the concern about preventing land use conversion and degradation of habitat along our salmon streams. In addition to our riparian restoration efforts, King County has taken action to protect habitat. We address concerns related to land use and conversion of land cover through various programs. For example, the County's strong growth management policies have led to 95% of new development focused in designated urban areas and our Transfer of Development Rights program is further reducing development potential in the forested headwaters as well as preventing conversion of farmland to more intense land uses. Our critical areas regulations require protection of up to 165-foot buffers on aquatic areas for new development and we continue to use various strategies to protect working forests and farms.

We recognize the important science behind the NMFS guidance for larger buffer sizes. Large forested buffers are necessary for the floodplain processes to occur that allow instream and riparian salmon habitat to form naturally. We also recognize the importance of tribal concerns regarding habitat protection and tribal treaty rights. For example, King County, the Tulalip Tribes and other partners supported the Snohomish River Basin Salmon Conservation Plan recommendation of protecting 150-foot riparian buffers on salmon bearing streams along with considerations for viable agriculture and forestry production.

King County also wants to preserve agricultural lands. We are undertaking a collaborative effort to achieve combined goals of farm preservation, salmon recovery and flood protection as are other Puget Sound counties. The application of a one-size-fits-all approach for buffer width will run counter to the good work that is emerging between these interests As a result, we do not recommend the use of the NMFS guidelines exclusively to set minimum riparian buffer requirements for voluntary grant-funded programs in agricultural areas. Furthermore, we strongly believe that policy implementation will actually reduce future voluntary habitat restoration actions. In 2014, some project partners have already approached King County looking for public land to restore as they were unable to find willing landowners to plant the larger buffers.

Therefore, we ask that the Council not pass this resolution as written. Instead, we recommend that the Council consider alternate resolution language (see Attachment A) that will provide flexibility for local habitat conditions and viable agricultural land use, as well as incorporate local WRIA technical committee guidance and tribal input in the affected watershed. This approach has been working well for the existing local and state SRFB review process which is very thorough and sufficient to ensure that only habitat projects that meet salmon recovery objectives will be funded through the SRFB.

Our experience is that requiring larger buffer widths, specifically 100-foot buffers on salmon bearing rivers and streams, will mean that fewer private property owners will participate in voluntary programs. If adopted, this resolution will have the unintended consequence of reducing the overall amount of riparian buffers being planted. Many private landowners are not willing or able to plant 100-foot buffers on fish bearing streams due to the loss of property for other uses, infrastructure constraints or farmland preservation easements. Our experience working with landowners in agricultural areas over the last ten years is that the majority are currently willing to plant at most 35-50 foot buffers. We assume this resolution only pertains to agricultural lands and if the scope is intended for other land uses, we would like the opportunity to comment on that separately.

Please also see the attached analysis done by King County's WLR Division on the implications of the federal buffer guidelines being applied to the Department of Ecology's grant programs. Jean White, Regional Partnerships Unit Supervisor at WLR Division, previously shared this analysis with the Council at your March 2014 meeting. Many of the findings from this analysis apply to other federally funded grant programs as well.

Thank you for your leadership and on-going efforts to protect and restore Puget Sound. We appreciate the Council's careful consideration of this important issue and our opportunity to comment. If you have any questions regarding these comments or our attached analysis, please contact me at (206) 477-4601 or Jean White at (206) 477-4846.

Sincerely,

Mark Isaacson
Director, King County Water and Land Resources Division

cc: Sheida Sahandy, Executive Director, Puget Sound Partnership
Jeanette Dorner, Ecosystem & Salmon Recovery Program Director, Puget Sound Partnership
Jean White, Regional Partnerships Unit Supervisor, King County WLR Division

Attachment A

King County's Alternate Language for:

Puget Sound Leadership Council's
Resolution 2014-02
Funding Alignment with Salmon Recovery

WHEREAS, the Action Agenda identifies a funding strategy that, in part, recognizes and supports the importance of using existing funding more strategically and efficiently to carry out Puget Sound recovery efforts; and

WHEREAS, voluntary programs have become increasingly relied upon to support the recovery and protection of Puget Sound; and

WHEREAS, funding for these programs should be aligned with the best available science so as to achieve water quality standards, protect and restore shellfish beds, implement salmon recovery, and when specified by a tribe, achieve ecosystem objectives consistent with Traditional Knowledge; and

WHEREAS, the Treaty Rights at Risk Initiative is a call to action, intended to galvanize and energize response by federal, state, local and tribal governments and policy makers to reverse the decline of salmon and their habitat; and

WHEREAS, the National Marine Fisheries Service (NMFS) identified interim minimum riparian management recommendations applicable to agricultural lands for voluntary grant programs operating in western Washington; and

WHEREAS, the Action Agenda recognizes that maintaining the vibrancy of agriculture is crucial to recovering Puget Sound and instrumental in providing a high quality of life in the region; and

WHEREAS, the Action Agenda further recognizes the challenges faced by farms in the Puget Sound region, and that the continued loss of farms is not only detrimental to individual farmers and to the regional farm economy; but is detrimental to the recovery of Puget Sound; and

WHEREAS, the Action Agenda further recognizes that where working lands are the same as the lands needed for habitat restoration, more flexibility and creativity in conservation tools may be needed to achieve both restoration and farmland protection; and

WHEREAS, a priority of salmon conservation plans produced in the Puget Sound region is the preservation of open space and particularly working forests and agricultural lands; and

WHEREAS, the preservation of an agricultural economy is inseparably linked to the availability of a viable land base for agricultural production; and

WHEREAS, conservation of the agricultural land base and the habitat needed for healthy salmon and other fish populations will be best achieved by flexible guidelines that consider the specifics of the site and stream conditions, and recognizes the value of the agricultural land base; and,

WHEREAS, NMFS interim minimum riparian management recommendations included a technical justification developed by NOAA's Northwest Fisheries Science Center, which must be accorded deference under federal law; and

WHEREAS, voluntary incentive programs focused on protecting and restoring Puget Sound habitat ~~and~~, aquatic resources and rural working lands should be coordinated to work strategically and in conjunction with one another; and

WHEREAS, these programs should address and encourage the implementation of projects that ~~actually achieve~~ contribute meaningfully to the attainment of water quality standards and protections for both salmon and shellfish; and,

WHEREAS, Puget Sound recovery efforts should be using a multiple benefit approach that addresses outcomes for water quality, shellfish ~~and~~, salmon recovery, and conservation of resource lands.

NOW, THEREFORE BE IT RESOLVED, that the Leadership Council recommends the alignment of voluntary incentive public programs and funding with NMFS interim riparian management recommendations and with a multi-objective approach that considers both the economic and cultural importance of salmon along with the essential production of food in the Puget Sound region that will ~~continue to advance recovery efforts towards~~ achieve~~ing~~ water quality standards, the protection and restoration of shellfish beds, ~~and~~ implementation of salmon recovery, and consider the importance of sustaining working lands; and

BE IT FURTHER RESOLVED, that public outreach, technical assistance, and education efforts should ~~also~~ reflect these NMFS interim minimum recommendations for what is necessary to achieve water quality and protections for salmon and shellfish in riparian areas, estuaries, and other habitats critical to the perpetuation of these resources; and

BE IT FURTHER RESOLVED, that the Leadership Council supports better data collection by those agencies administering voluntary incentive programs in order to ensure program(s) accountability for achieving progress towards salmon recovery goals, meeting water quality standards, and protecting and restoring shellfish beds; and

BE IT FURTHER RESOLVED, that the Leadership Council also supports agencies, organizations, and private parties that are working with the support of the tribes and local technical experts (e.g., WRIA technical committees) in the affected watershed to try other approaches to implement riparian buffers that have a sound scientific basis and ~~achieve~~ support the achievement of all water quality standards and support salmon and shellfish recovery, while sustaining working lands; and

BE IT FURTHER RESOLVED, that the Leadership Council supports and encourages increasing the value and availability of incentives for agricultural landowners to voluntarily implement riparian buffers that achieve water quality standards and salmon and shellfish recovery objectives with an approach that supports successful agriculture.

Impacts of new buffer requirements

New buffer requirements imposed by the EPA and NOAA will set back important habitat restoration work in King County. The large buffer requirements of 100 feet (or greater) imposed by the Department of Ecology on Centennial Clean Water and Section 319 grants will significantly reduce King County's ability to work with property owners on voluntary restoration projects. King County has evaluated the impact assuming that over the last ten years, 26 property owners would not have participated in habitat projects; over 50 acres of restored habitat along over 20 miles of rivers and streams that have an average of 30-35 foot buffers would not have been built. The new requirement if imposed on past projects are assumed to have not happened because of the significant loss of agricultural lands. The following table summarizes the projects that were completed.

Restoration Entity	Ecology Funding	Match	Total Funding	Number of Landowners	Typical Buffer Size	Riparian Acres Planted
Sound Salmon Solutions	$109,000	$36,437	$145,437	1	35 ft.	6
Stewardship Partners	$249,999	$83,333	$333,332	10	35 ft.	18.8
King County	$650,000	$359,000	$1,009,000	15	30 ft.	26.5
Totals	**$1,008,999**	**$478,770**	**$1,487,769**	**26**	**30-35 ft.**	**51.3**

Over the last decade, most of King County's Water and Land Resources (WLR) Division work with private property owners on riparian buffers has been focused on the lower Snoqualmie River basin and Newaukum in the Green River basin. These areas are primarily agricultural areas where the streams and the mainstem often lack adequate shade and suffer from higher temperatures, low dissolved oxygen and elevated fecal counts. Water bodies in both basins are listed as impaired under the 303d for temperature, dissolved oxygen and fecal coliform. With the help of Ecology grants, the WLR Division has been successful in partnering with landowners and nonprofit organizations (NGOs) to repair riparian buffers to improve water quality and habitat.

Property owners in agricultural areas are generally willing to consider buffers ranging from 20-35 feet on streams and 40-60 feet on a mainstem river, but not more. None of the work done to date by the WLR Division and its partners through Ecology funded grants would qualify for funding under the new guidelines due to the smaller size of these voluntary buffers.

On the lower Snoqualmie floodplain over the last decade, King County has partnered with NGOs. The attached "Farmers Acting for Fish Map" is an overview of cooperative efforts to improve riparian buffers in the Snoqualmie Valley in partnership with Stewardship Partners, Sound Salmon Solutions and others to work with landowners to voluntarily plant riparian areas (attachment one). This work resulted in over 15 miles of river and streams planted with buffers

ranging from 20-35 feet on streams and 40-60 feet on the mainstem river. It is important to note that an additional 3.5 miles of plantings on three properties in the Snoqualmie basin have included larger buffers (150-180 feet) cost-shared through the Conservation Reserve and Enhancement Program (CREP). CREP offers substantial funding for the plantings and provides participating property owners with rental income for ten years for the land encumbered by the buffers. Nevertheless, to date only three landowners have enrolled in CREP with the larger buffers in the Snoqualmie Valley.

Over the last eight years, the WLR Division partnered with 20 property owners on Newaukum Creek planting buffers ranging from 25-35 feet for an estimated 5.56 miles planted. The attached "Newaukum Creek Revegetation map" depicts private landowners voluntarily restoring habitat and improving water quality in purple (attachment two). These buffers can grow quickly providing shade, reducing stream temperatures and other water quality benefits. The attached Newaukum Creek planting photos depict the quality of voluntary buffers that are achievable to restore waterways (attachment three).

Impact on Agriculture

The potential impact of 100 to 150 foot buffers could remove farming as an economic activity in the County. It would severely restrict agricultural viability due to the relatively small size of the parcels, configuration, and the number of streams and modified ditches that exist in the agricultural areas. One hundred foot buffers on fish bearing streams and waterways would take approximately 1,830 acres (13%) of currently farmed land in the Snoqualmie Agricultural Production District out of production. One hundred and fifty foot buffers could encumber another 1,000 acres in agricultural production, for a total of 20% of the Snoqualmie Agricultural Production District.

King County has a long history of protecting agricultural resource lands through both the zoning designation of Agricultural Production Districts and through its Farm Land Preservation Program (FPP) where it purchases restrictive covenants. More recently King County has expanded the Transfer of Development Rights Program to include agricultural lands. A strong agriculture in King County helps protect rural lands from development pressure and helps address the impending impacts from climate change. Sustainable agricultural practices such as what we see practiced extensively in the Snoqualmie Valley sequester carbon and will help this region have some food security as climate impacts become more pronounced. The county Executive has just announced a new food policy initiative aimed at helping to restore and strengthen our agriculture economy. If implemented, these buffer requirements run contrary to a strong agricultural sector with reasonable habitat enhancements.

Washington DFW Approved Agricultural Drainage Program

To sustain agricultural productivity, many waterways that cross farmlands in King County require periodic maintenance such as sediment removal and beaver dam modification, which can impact salmon and their habitat. The WLR Division worked with regulatory agencies to

standardize requirements and best management practices (BMPs) that minimize harm to salmon and habitat while allowing maintenance of agricultural waterways.

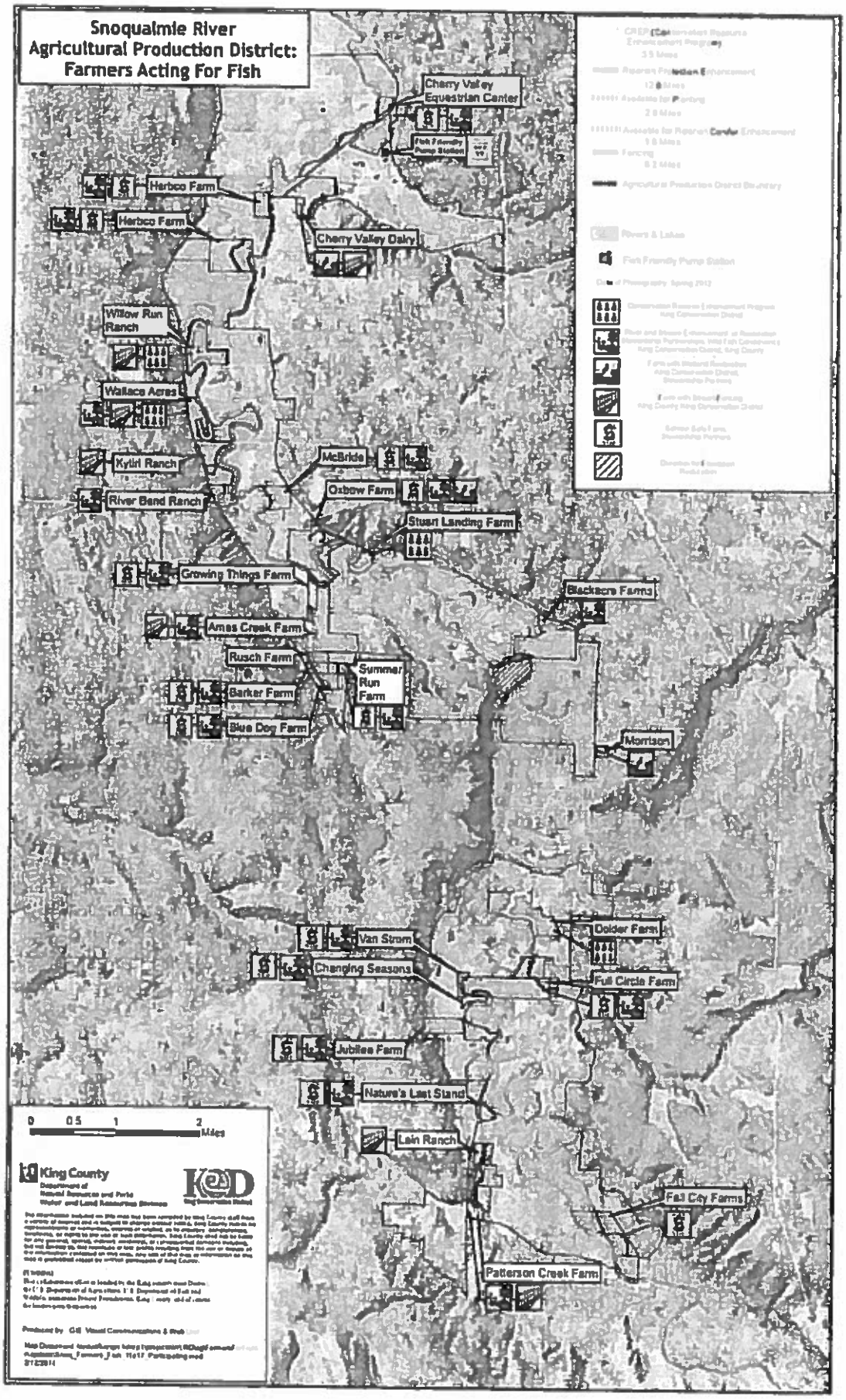
The goal for the Agricultural Drainage Assistance Program (ADAP) is to protect water quality and fish habitat while streamlining regulatory requirements, reducing county costs, and adequately draining fields for farming. Maintenance projects may include removal of accumulated sediment and noxious or invasive vegetation that encroaches into and chokes waterways or field drain tiles, and may also include culvert replacement or beaver dam removal.

To determine appropriate BMPs to maintain agricultural drainage, the WLR Division developed a waterway classification system that uses the state's hydraulic code channel designations (natural, modified, and artificial) as well as known or expected presence of salmon (high, moderate, low) based on our best available scientific information. BMPs cover the time of year for the project, sediment and erosion control, fish relocation out of the construction area, and planting requirements in buffers ranging from three to ten feet.

The ADAP can be used in modified streams and artificial ditches. (Natural streams, which have not been straightened and have had minimal alterations, are outside the scope of ADAP and require an individual permit review.) The expected presence of salmonids during construction is based on a variety of information including the known presence or absence of salmonids, known fish passage barriers, the quantity of water known or expected to be present during construction, documented temperature measurements of the water present during construction, the size of the upstream contributing drainage basin, and the geologic characteristics of the waterway. The classification system was developed for the typical agricultural maintenance time period, July through September, and does not attempt to classify winter use of these waterways.

ADAP requirements and BMPs were reviewed by regulatory agencies and the public through the State Environmental Policy Act process. The Washington Department of Fish and Wildlife (WDFW) signed a letter of agreement with King County on the ADAP requirements and BMPs. The Washington Department of Ecology, WDFW, the King County Department of Permitting and Environmental Review all participated in the regulatory negotiations, field investigations, and provided input into the waterways classification system and BMPs. We presented the waterway classification system in detail to US Army Corps of Engineers; National Marine Fisheries Service; and Muckleshoot, Tulalip, Puyallup, and Snoqualmie tribal staffs. We did not receive requested changes from anyone not directly involved in negotiations.

Finally, ADAP was included in the King County Programmatic Assessment and Compliance for flood plain management. FEMA determined that the ADAP program met or exceeded the performance standards of the Biological Opinion on the National Flood Insurance Program.


Snoqualmie River
Agricultural Production District:
Farmers Acting For Fish
Cherry Valley Equestrian Center
Herbco Farm
Herbco Farm
Cherry Valley Dairy
Willow Run Ranch
Wallace Acres
Xyliri Ranch
River Bend Ranch
McBride
Oxbow Farm
Stuart Landing Farm
Growing Things Farm
Ames Creek Farm
Rusch Farm
Barker Farm
Blue Dog Farm
Summer Run Farm
Blackacre Farms
Morrison
Van Strom
Changing Seasons
Dolder Farm
Full Circle Farm
Jubilee Farm
Nature's Last Stand
Lain Ranch
Fall City Farms
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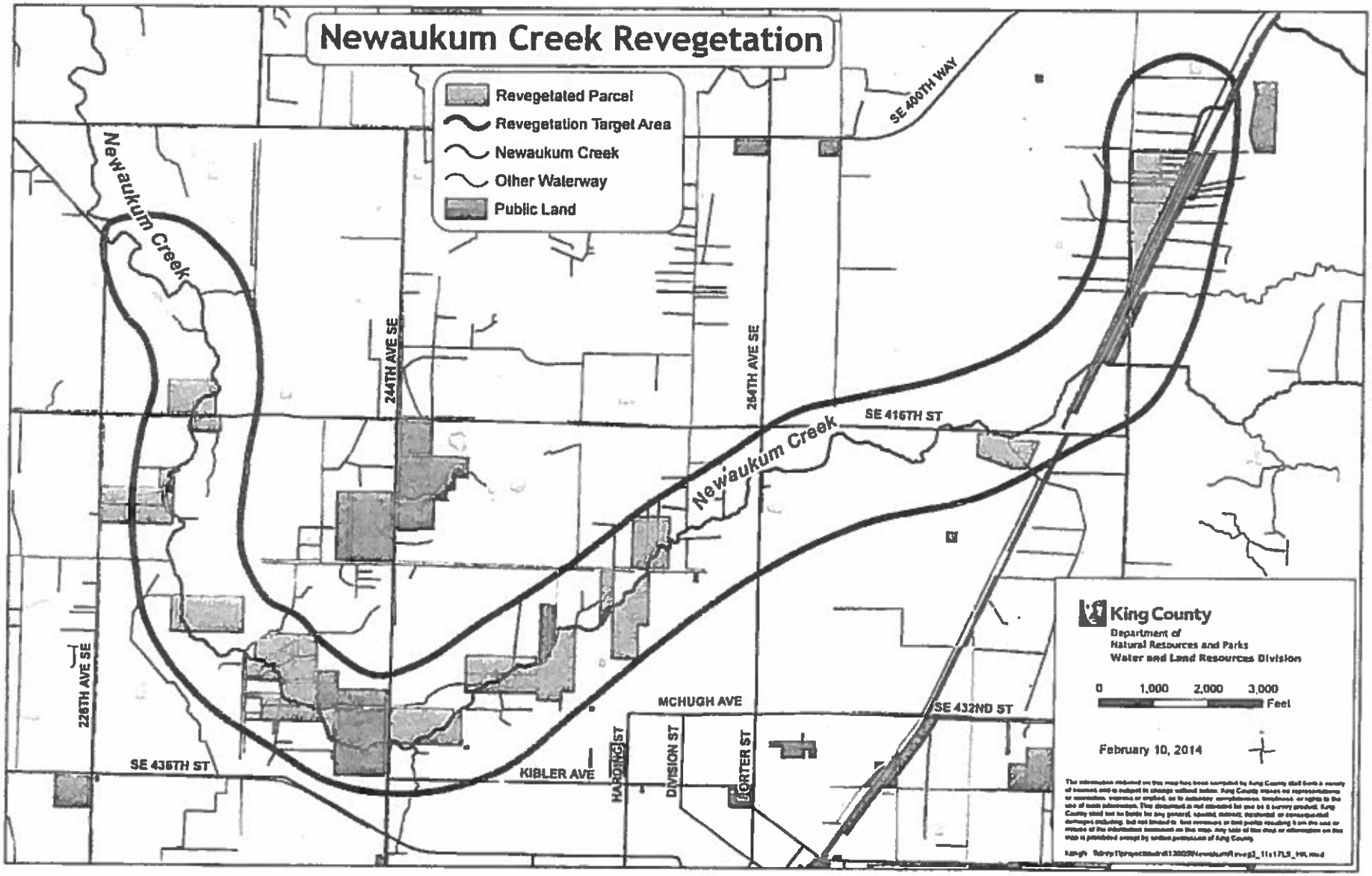
King County
Department of Natural Resources and Parks
Water and Land Resources Division
King Conservation District


Newaukum Creek Revegetation
Revegetated Parcel
Revegetation Target Area
Newaukum Creek
Other Waterway
Public Land
SE 400TH WAY
Newaukum Creek
244TH AVE SE
264TH AVE SE
SE 416TH ST
Newaukum Creek
226TH AVE SE
SE 436TH ST
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HARDING ST
DIVISION ST
PORTER ST
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King County
Department of
Natural Resources and Parks
Water and Land Resources Division
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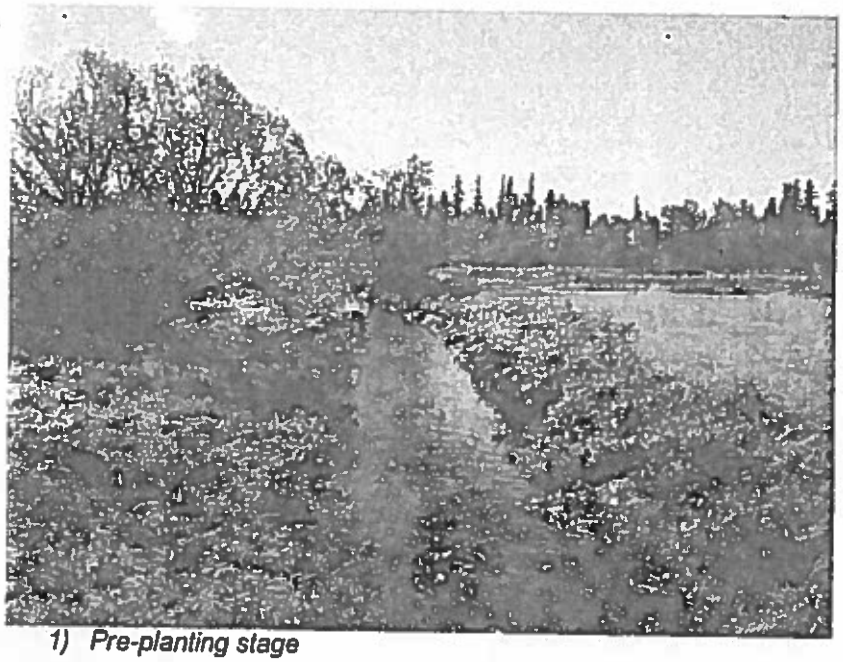
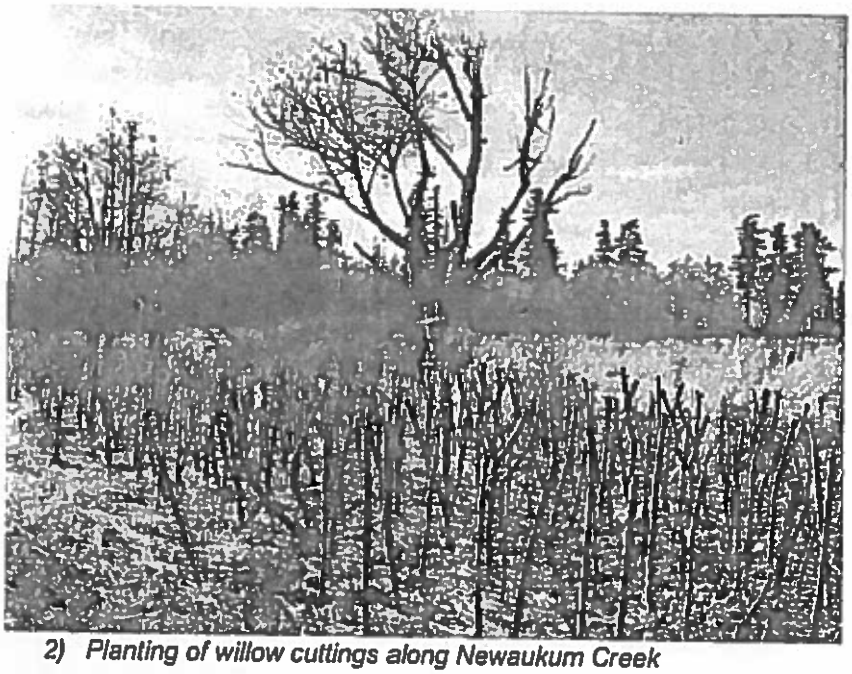
Feet
February 10, 2014

NEWAUKUM CREEK RESTORATION PROJECT PHOTOS

The following photos depict various stages of previously implemented revegetation projects along Newaukum Creek, demonstrating the significance of riparian vegetation establishment on narrow buffers (less than 35-foot in width). After 10 years, projects provide 100% shade and overhanging cover completely over the entire channel width. This occurs regardless of whether a buffer was planted on one or both sides of the stream.

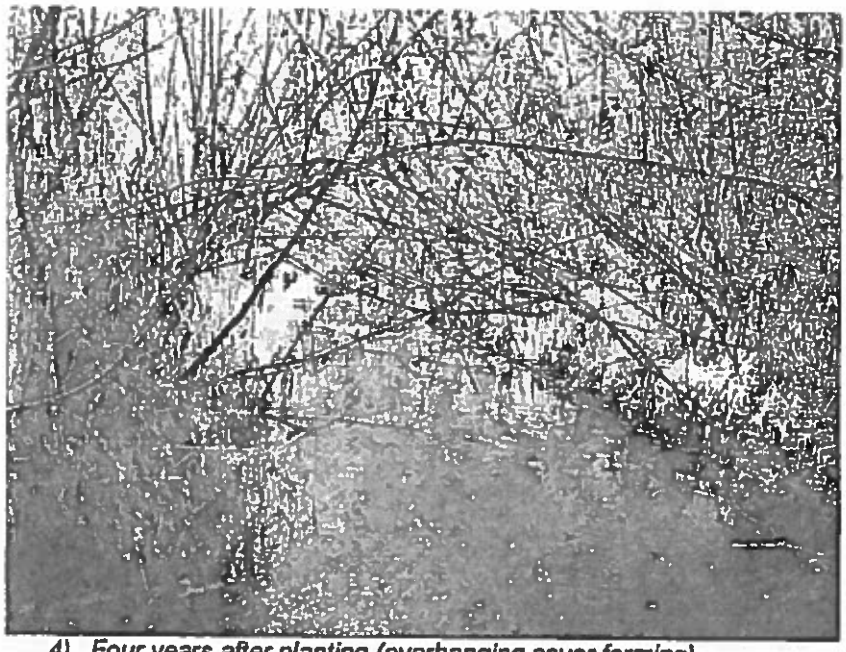


1) Pre-planting stage



2) Planting of willow cuttings along Newaukum Creek

3) Two years after planting (~30 feet on both sides of creek)



4) Four years after planting (overhanging cover forming)

5) Six years after planting

6) *Eight years after planting*

7) *Ten years after planting (25-foot buffer planting on one side of Newaukum Creek)*

Western Washington Agricultural Association

June 24, 2014

Memo To: Puget Sound Partnership Leadership Council

From: Western Washington Agricultural Association

Subject: Resolution 2014-02; "Funding Alignment with Salmon Recovery"

Dear Leadership Council,

Regarding Puget Sound Partnerships Resolution 2014-02, I would like to provide some perspective as to how the proposed action would negatively impact salmon recovery efforts in the Puget Sound, and more specifically, the Skagit River watershed. Western Washington Agricultural Association (WWAA) has long history of partnerships to address both salmon recovery and farmland preservation interests, as well as involvement in many proactive, voluntary programs and projects to address water quality and habitat restoration provide us with credentials to speak authoritatively on this matter.

WWAA, through its membership represents many agricultural landowners and businesses, holds contracts with both Skagit County and Washington Department of Fish and Wildlife specifically for water quality and salmon protection, and works on behalf of Skagit County special purpose districts to protect maintain infrastructure and protect habitat, for each. Additionally, WWAA collaborates with numerous resource agencies and organizations in an attempt to find "win-win" solutions that protects agriculture and its land base, and ensures natural resource protection.

The proposed resolution, in our mind, does neither. In fact, without continued collaboration with the agricultural and rural landowners to decide best land use options, both will be negatively impacted through passage and execution of this resolution. It is through voluntary land stewardship, designed at the local level, supported by those resource agencies and organizations that understand agriculture, that greatest gains in water quality and salmon recovery are possible. Implementation of mandatory prescriptive, table buffers as a condition of agricultural land preservation is not supported by landowners. Programs based upon their use will go unutilized by agricultural and rural landowners.

As you know agricultural landowners, unlike the agencies endorsed the voluntary approach to habitat and riparian buffer restoration. Unfortunately, it's my observation that the agencies have not shown a sincere commitment to supporting and advancing the voluntary incentive-based programs and funding sources. Clearly, they prefer the mandatory and arbitrary approach.

2017 Continental Pl. #6 •Mount Vernon, WA 98273
• (360) 424-PEAS (7327) •FAX (360) 424-9343
E-mail: wwaa@westag.org

Again, as a longstanding advocate and proactive partner for a healthy Puget Sound, WWAA believes that passage of Resolution 2014-2 is at the very least fraught with risk. Risk that through incremental, mandatory and arbitrary riparian buffers, land use changes will occur and agriculture in Puget Sound will give way for other land uses, and with that continued water quality and salmon habitat degradation. The risk is that funded programs for farmland preservation tied to mandatory, tabled buffers will largely go unutilized, and salmon recovery and water quality will not progress.

This region's agricultural economy and natural resources, in our mind, are interwoven with voluntary, sustainable conservation practices. Certainly the multitude of organizations and agencies involved in restoring and protecting a healthy Puget Sound can come up with or support more realistic, proven voluntary techniques for protecting water quality and restoring habitat and salmon populations than recycling the "Big Dumb Buffer" idea. WWAA, through continued commitment and support of a healthy Puget Sound, will continue to participate with salmon restoration and water quality organizations and agencies to find other solutions, through voluntary, incentive-based programs the agricultural community can support.

Thank you for the opportunity to express of our concerns regarding Resolution 2014-2. We hope you, the Leadership Staff of the Puget Sound Partnership, incorporate the voice of the region's agricultural landowners and those that represent them while considering this proposed resolution. Please give me a call if you would like to further discuss this matter, or have other questions or concerns.

Sincerely,

Brandon Roozen
Executive Director

June 24, 2014

Leadership Council
Puget Sound Partnership

Dear Leadership Council members,

Puget Soundkeeper Alliance soundly supports the draft resolution (Resolution 2014-2, Funding Alignment with Salmon Recovery) put forth by the Northwest Indian Fisheries Commission and we encourage its adoption by the Leadership Council. This resolution bolsters efforts to align public funding for voluntary incentive programs (primarily agricultural practices) with proven and effective techniques for improving and restoring aquatic ecosystem function and meeting the goals of the Clean Water Act in order to achieve fishable and swimmable waters. These goals can only be achieved if the most important steps are taken, such as implementation of scientifically-sound buffers in riparian areas. Other measures by themselves will not add up to success in meeting recovery goals required by the Clean Water Act.

The current incentive-based approach, while not without value, is currently failing to achieve key water quality goals, especially with regard to buffers, as they are often excluded from consideration. In a recent report, the Government Accountability Office estimates that voluntary incentive-based programs at the current level of progress are unlikely to meet water quality goals for 1000 years[i]. This is a national number but even if local progress was twice or even ten times as effective, it is clearly still unacceptable for Puget Sound and does not meet the Partnership's legislative mandate to recover Puget Sound by 2020 (one local estimate puts current progress of achieving local water quality outcomes at 500 years). Puget Soundkeeper Alliance agrees with NWIFC that we need greater accountability on how these hard-won dollars are spent, and we support the proposal to achieve those outcomes.

Applying the full suite of riparian best management practices, including scientifically-sound buffers, as conditions for publicly-funded projects will still meet the goal of providing meaningful incentives for land owners to improve riparian habitat and water quality. However only with the inclusion of these buffers will such improvements actually make real progress to achieve the outcome of restoring a healthy Puget Sound ecosystem for salmon, shellfish, orca whales and people.

We also understand that in addition to support from the tribes, the need for conditioning this funding on implementation of the full suite of best management practices, including buffers, is strongly supported by staff from Department of Ecology and the National Marine Fisheries Service.

Thank you for considering our comments.

Best Regards,

(by email)
Chris Wilke
Puget Soundkeeper and Executive Director
Puget Soundkeeper Alliance
chris@pugetsoundkeeper.org

[i] http://stormwater.wef.org/2014/02/gao-report-recommends-clean-water-act-regulate-farm-discharges/

SNOHOMISH CONSERVATION DISTRICT

CELEBRATING 70 YEARS
SNOHOMISH CONSERVATION DISTRICT

SCD 528 91st Ave NE, Ste A, Lake Stevens, WA 98258-2538
Phone 425-335-5634, ext 116 FAX 425-335-5024 Website: www.snohomishcd.org

June 24, 2014

Re: PSP Leadership Council Resolution 2014-02

Dear Puget Sound Partnership;

The Snohomish Conservation District (SCD) board and staff sincerely appreciate the opportunity to comment on the proposed changes to your guidelines and, in particular, your willingness to consider the impact these changes could have on your partners implementing the Action Agenda.

SCD has been building relationships with landowners across Snohomish County for the past 70 years with the goal of improving and protecting our natural resources. One of the reasons our organization has been so successful in implementing best management practices on private lands is our recognition that while we may disagree on the "how", we generally agree on the "why", which is protecting our soils, water, and fisheries for future generations. We have become a powerful partner in the restoration community in our County, planting 48 acres of riparian forest these past two years in addition to completing numerous other habitat and water quality improvement projects.

The adoption of the new buffer widths as a required minimum for PSP funded projects will negatively impact our ability to not only get trees in the ground, but also to implement water quality and in-stream salmon habitat projects. SCD understands that in most if not all cases, a larger buffer will provide a greater habitat benefit in the long-term. As such, when developing restoration projects, SCD works with landowners to develop restoration plans that maximize the riparian buffer width. While many of the landowners we work with agree to buffers wider than the NMFS standards, many are not willing or able to.

If the buffer guidelines become *mandatory* for all projects, we expect to see the following impacts:

- Reduction in the number of willing landowners.
- Reduction in the total acreage of riparian forest we are able to plant.
- Reduction in the number of stream miles we are able to plant with limited available funding.

The Snohomish Conservation District shares PSP's goal of improving salmon habitat and water quality, and prioritizing our conservation dollars to get the greatest ecological lift. We feel we can work together with partners to do this in creative ways by increasing incentives available to landowners.

As mentioned above, SCD is not in favor of adopting mandatory buffer widths. If, however, PSP adopts recommendations based on the buffer table, the following should be considered when scoring projects with buffers that do not meet the new guidelines:

- Ecological impact desired – Narrow buffers can provide shade to cool water, a source of large wood, filtration of nutrients and pollutants, erosion protection, control of invasive weeds, and cover for juveniles. These benefits need to be weighed against the impact of NOT installing the project.
- Benefits of Total Project – The benefit of in-stream projects such as fish passage barriers, wood placement, side channel reconnections, etc. as well as water quality projects such as agricultural BMPs should be weighed even if buffer widths are narrower than the guidelines.
- Land use – If land is being used for agricultural production, a wider buffer may not be economically feasible for the landowner.
- Size of property – Landowners on smaller parcels will be less willing to plant a wider buffer if it takes up a large proportion of their total acreage.

We appreciate that the NWIFC has included in their resolution the opportunity for organizations to work with their local tribes to develop creative ways to achieve larger riparian buffers.

SCD recently completed a series of workshops with American Farmland Trust, NOAA and Forterra that resulted in survey data being collected from 64 landowners in target Chinook areas where agriculture is the primary land-use. Preliminary results of this study indicate the following:

- 44% said they would consider planting a riparian buffer (and another 11% said maybe).
- Of these 28 landowners, only 11 said the current CREP payment would incentivize them to plant a 35' buffer and only 5 said the payment would incentivize them to plant a 100' buffer.
- 82% of respondents said they would rather retain ownership if a portion of their land was restored, rather than sell it.

Based on this data, SCD recommends the following programs be considered:

Enhanced CREP Program – In several areas throughout the Country, local entities have chosen to supplement the Conservation Reserve Enhancement Program payments to agricultural landowners by increasing the one-time signing bonus. We propose increasing this bonus from $100/acre up to $5,000/acre in high priority subbasins. Another option would be to provide a sliding scale signing bonus based on width of riparian buffer.

Multi-Benefit/Working Buffers – SCD, the Tulalip Tribes, Forterra, Mason Conservation District and WSU are using NOAA funds managed by PSP to develop the feasibility of a working buffer program. Landowners would be incentivized to plant a larger buffer if they could re-coup the revenue lost to traditional agricultural production by harvesting a commodity from the buffer while retaining the buffer's ecological function.

Riparian Easements – Purchasing easements for riparian buffers enables landowners to retain ownership of their land, while financially incentivizing them to take land out of production for riparian enhancement.

Thank you for considering our response. The Snohomish Conservation District greatly appreciates all

PSP has done to improve the health of the Puget Sound by supporting local projects. We would be more than willing to continue to work with PSP to discuss the ideas presented above or to gather landowner feedback on any new ideas that are proposed by others.

Sincerely,

Cindy Dittbrenner
Natural Resources Program Manager

Hampton, Dominique (PSP)

From: Karen Terwilleger <KTerwilleger@wfpa.org>
Sent: Tuesday, July 08, 2014 10:36 AM
To: Hampton, Dominique (PSP)
Subject: Comments on proposed Riparian Buffer Resolution
Attachments: Washington Forest Protection Association Comments on PSP Leadership Council Resolution (7-7-2014).pdf

Importance: High

Dominque,

I've attached our comments. As you'll see, our concerns relate to the where the NMFS riparian guidelines will be applied. The guidelines were developed for Agricultural land. On forest land, state and private landowners have invested significant resources in developing and implementing forest practices HCPs. These HCPs deal with buffer protections. While similar, the NMFS buffers are not identical to buffers in all of the forestry HCP. HCPs may also include extensive adaptive management programs to assess whether the buffering systems are effective. All of the HCPs have been approved by the federal services.

Forest landowners also work in cooperation with other partners on protection projects, some of which may receive grants. We feel that linking the NMFS buffers to all grant proposals creates a disincentive for forest landowners to work on these projects.

If the Council adopts a resolution, we ask that it be restricted to non-forested areas or also include reference to federally-approved HCPs for forested areas.

Please let me know if you have any questions. Thank you for your consideration.

Karen Terwilleger
Senior Director of Forest and Environmental Policy
Washington Forest Protection Association
Cell: 360-480-0927
Office: 360-352-1500

From: Karen Terwilleger
Sent: Tuesday, July 8, 2014 10:14 AM
To: Karen Terwilleger
Subject: RE: Comments on proposed Riparian Buffer Resolution

From: Hampton, Dominique (PSP) [mailto:dominique.hampton@psp.wa.gov]
Sent: Monday, July 07, 2014 3:07 PM
To: Karen Terwilleger
Subject: RE: Comments on proposed Riparian Buffer Resolution

Karen:

WASHINGTON FOREST PROTECTION ASSOCIATION
724 Columbia St NW, Suite 250
Olympia, WA 98501
360-352-1500 Fax: 360-352-4621

July 7, 2014

Dominique Hampton
Special Assistant to the Boards
Puget Sound Partnership
326 East D Street,
Tacoma, WA 98421

Subject: Comments on Resolution for "Funding Alignment with Salmon Recovery"

Dear Ms. Hampton:

The Washington Forest Protection Association (WFPA) appreciates the opportunity to comment on the Leadership Council's (Council) proposed Resolution 2014-02: Funding Alignment with Salmon Recovery. WFPA is a forestry trade association representing large and small forest landowners and managers of nearly 4 million acres of productive working timberland located in the coastal and inland regions of the state. Our members support rural and urban communities through the sustainable growth and harvest of timber and other forest products for U. S. and international markets. WFPA members actively participate with other partners in various salmon recovery grant programs. For more information about WFPA, please visit our website at www.wfpa.org.

The Council is currently considering whether to recommend alignment of voluntary incentive public programs and funding with the NMFS Interim Riparian Buffer Recommendations for Streams in Puget Sound Agricultural Landscapes. While we appreciate the desire for buffer standardization, the proposed NMFS guidelines were developed specifically for agricultural land uses; agricultural land uses are regulated under a very different system than forest land. As outlined below, WFPA respectfully requests that if the Council adopts a resolution to align voluntary incentive public programs with the NMFS interim riparian management recommendations, that these buffers are linked specifically to programs related to non-forested lands. If the Council recommends minimum buffer guidelines for forested lands, WFPA suggests that the recommendations should incorporate the riparian buffer systems developed in federally-approved HCPs.

Washington State landowners have a long history of developing collaborative, science-based programs leading to HCPs approved under the federal Endangered Species Act. Major components of these HCPs deal with riparian functions and buffering requirements. Our major

concern with the Council's proposal is that it does not recognize the considerable effort, investment, and success of the buffering systems embedded in HCPs developed by public and private landowners. Nor does it recognize the reality that NOAA Fisheries (previously NMFS) and the US Fish & Wildlife Services have already approved these HCP riparian buffering systems.

As a key example, the 1999 Washington Forests & Fish Law was developed in collaboration with federal, state, tribal, and county governments and private forest landowners. In 2001, the Washington Forest Practices Board adopted new permanent forest practice rules to address impacts to aquatic species on all private forest lands not covered under an existing HCP and Washington Department of Natural Resources lands east of the Cascade Crest. Representatives from each collaborating partner worked together for 18 months to make changes to the forest practices rules to protect clean water and riparian habitat on non-federal forestland in Washington State. Regulatory changes were made to improve forest roads and culverts, enlarge buffer zones along stream banks, and identify and protect unstable slopes. An Adaptive Management monitoring program has also been put into place to review the effectiveness of the new rules. As one of the most comprehensive pieces of state environmental legislation in the U.S., the Forests & Fish Law and accompanying regulations are designed to fully comply with both the federal Endangered Species Act (ESA) and the Clean Water Act (CWA) to protect Washington's native fish and aquatic species and assure clean water compliance. In 2006, the Forests & Fish Law was endorsed by the federal government through a statewide Forest Practices Habitat Conservation Plan.

Similarly, other private and state forest landowners have made substantial investments in HCPs to protect riparian functions. Among these landowners are: the Green Diamond Resources Company, the West Fork Timber Company, the Plum Creek Timber Company, Port Blakely Tree Farms, and the Washington State Department of Natural Resources.

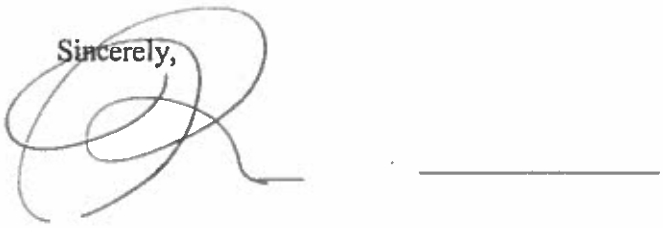
Requiring a new and different set of buffer requirements for forest-based salmon recovery projects may create a disincentive for forest landowners to participate with Tribes, non-profit groups and other partners in applying for voluntary incentive public program grants. The track record of Washington's forest landowners in recovering and restoring habitat is truly impressive. State and private landowners have opened up 3288 stream miles of habitat, repaired 5142 barriers and abandoned/restored over 5000 miles of roads. In fact, programs such as the Washington Salmon Recovery Funding Board grant program currently recognizes the contribution of the Forest Practices HCP by explicitly identifying the conditions under which forest landowners can receive funding for road maintenance and abandonment plans.

Allowing forest landowners to participate in projects using existing, federally-approved buffer regimes enhances salmon recovery efforts and incentivizes the use of HCPs to protect salmon. An explicit recognition of the protections afforded by these plans may encourage other landowners to invest in HCP conservation programs. Our request could be achieved by limiting the NMFS guidelines to projects located on non-forested streams, or specifically referencing the buffer requirements in federally-approved HCP's as the minimum buffer requirement for affected forest lands.

more

In summary, the benefits of allowing forest landowners to use current buffers included in HCPs support collaborative, scientifically-based salmon recovery and strong community partnerships. Again, thank you for the opportunity to comment. Please let me know if you have any questions.

Sincerely,



Karen Terwilleger
Senior Director of Forest and Environmental Policy